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Free Electronic Bulletin Board service for Public Law numbers, Federal Register finding aids, and a list of documents on public inspection is available on 202–275–1538 or 275–0920.

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 925

[Docket No. FV95–925–1C]

Grapes Grown in a Designated Area of Southeastern California; Interim Final Rule To Revise Container Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Correction to interim final rule.

SUMMARY: This document contains a correction to the interim final rule published on March 19, 1996 [61 FR 11127] concerning grapes grown in Southeastern California.

EFFECTIVE DATE: March 19, 1996.

FOR FURTHER INFORMATION CONTACT: Charles L. Rush, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2526–S, Washington, DC 20090–6456, telephone (202) 690–3670; or Rose M. Aguayo, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, 2202 Monterey Street, Suite 102B, Fresno, California 93721; telephone (209) 487–5901.

SUPPLEMENTARY INFORMATION:

Background

This rule adds two new containers to the list of containers authorized for use by table grape handlers regulated under the marketing order. This rule also reduces the minimum net weight of containers of California table grapes from 22 pounds to 20 pounds and for grapes packed in poly bags from 20 pounds to 18 pounds.

Need for Correction

The interim final rule as published contains an error in the amendatory language affecting 7 CFR part 925.

Correction of Publication

Accordingly, in FR Doc. 96–6348, published March 19, 1996, page 11129, amendatory language number 2, is corrected to read as follows:

§ 925.304 [Corrected]

2. In § 925.304, paragraph (b)(2) is revised and paragraphs (b)(1)(vi) and (b)(1)(vii) are redesignated as paragraphs (b)(1)(viii) and (b)(1)(ix) and new paragraphs (b)(1)(vi) and (b)(1)(vii) are added to read as follows:

Dated: March 25, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–7653 Filed 3–28–96; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–70–AD; Amendment 39–9553; AD 96–07–04]

Airworthiness Directives; Fokker Model F27 Mark 050 and Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F27 Mark 050 and Model F28 Mark 0100 series airplanes, that requires an inspection to verify that adequate clearance exists between the insulation screen and the two adjacent terminal bolts, and replacement of the circuit breaker terminal bolts with new bolts, if necessary. This amendment is prompted by a report that circuit breaker terminal bolts that were too long were discovered installed in the circuit breaker panels. The actions specified by this AD are intended to prevent damage to the insulation screen between adjacent rows of circuit breakers, as the result of a circuit breaker terminal bolt being too long; this condition could lead to electrical arcing and loss of the associated electrical system, which could result in the potential for an electrical fire.

DATES: Effective April 29, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 29, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (206) 227–2141; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F27 Mark 050 and Model F28 Mark 0100 series airplanes was published in the Federal Register on November 28, 1995 (60 FR 58584). That action proposed to require a one-time inspection to verify that adequate clearance exists between the insulation screen and the two adjacent terminal bolts, and replacement of the circuit breaker terminal bolts with new bolts, if necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 44 Model F28 Mark 0100 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators of Model F28 Mark 0100 series airplanes is estimated to be $2,640, or $60 per airplane.

Should an operator of Model F28 Mark 0100 series airplanes be required to accomplish the necessary bolt replacement, it will take approximately 7 work hours per airplane to accomplish the replacement, at an average labor rate of $60 per work hour. Required parts will cost approximately $100 per airplane. Based on these figures, the cost impact of any necessary replacement action is estimated to be $520 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Currently there are no Fokker Model F27 Mark 050 series airplanes on the U.S. Register. However, should an affected airplane be imported and placed on the U.S. Register in the future, it will take approximately 1 work hour per airplane to accomplish the required inspection, at an average labor rate of $60 per work hour. Based on these figures, the impact of the required inspection on operators of Model F27 Mark 050 series airplanes will be $60 per airplane.

Should an operator of Model F27 Mark 050 series airplanes be required to accomplish the necessary bolt replacement, it will take approximately 17 work hours per airplane to accomplish the replacement, at an average labor rate of $60 per work hour. Required parts will cost approximately $150 per airplane. Based on these figures, the cost impact of any necessary replacement action is estimated to be $1,170 per airplane.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96–07–04 Fokker: Amendment 39–9553. Docket 95–NM–70–AD.

Applicability: Model F27 Mark 050 series airplanes having serial numbers 20247 through 20292 inclusive, and 20294 through 20297 inclusive; and Model F28 Mark 0100 series airplanes having serial numbers 11390 through 11479 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent electrical arcing and subsequent loss of the associated electrical system, which could result in the potential for an electrical fire, accomplish the following:

(a) Within 12 months after the effective date of this AD, perform an inspection to verify if adequate clearance exists between the insulation screen and the two adjacent terminal bolts in accordance with Fokker Service Bulletin SBF100–20–001, dated January 15, 1994 (for Model F28 Mark 0100 series airplanes), or Fokker Service Bulletin SBF50–20–003, dated January 11, 1994 (for Model F27 Mark 050 series airplanes), as applicable.

(1) If adequate clearance is found, no further action is required by this AD.

(2) If inadequate clearance is found, prior to further flight, replace the circuit breaker terminal bolts with new bolts in accordance with the applicable service bulletin.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The inspection and replacement shall be done in accordance with Fokker Service Bulletin SBF100–20–001, dated January 15, 1994, or Fokker Service Bulletin SBF50–20–003, dated January 11, 1994, as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on April 29, 1996.

Issued in Renton, Washington, on March 21, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–7400 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–13–P

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14 CFR Part 39

[Docket No. 95–NM–86–AD; Amendment 39–9555; AD 96–07–06]

Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, that requires

inspection(s) to verify that the position indicator of the fuel balance transfer valve (FBTV) is in the closed position, and closing the FBTV, if necessary; and deactivation of the fuel balance transfer system (FBTS). This amendment is prompted by a report that, under certain failure conditions, the actuator of the FBTV could remain in the open position without a flight deck indication. The actions specified by this AD are intended to ensure that the FBTV is not in the open position during flight, which could lead to the reduction of fuel supply to the engines during cross-feed operation and consequent engine fuel starvation.

DATES: Effective April 29, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 29, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (206) 227–2141; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 0100 series airplanes was published in the Federal Register on December 11, 1995 (60 FR 63470). That action proposed to require inspection(s) to verify that the position indicator of the fuel balance transfer valve (FBTV) is in the closed position, and closing the FBTV, if necessary; and deactivation of the fuel balance transfer system (FBTS).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 4 airplanes of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $250 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $1,960, or $490 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96–07–06 Fokker: Amendment 39–9555. Docket 95–NM–86–AD.

Applicability: Model F28 Mark 0100 series airplanes, as listed in Fokker Service Bulletin SBF100–28–030, Revision 1, dated December 5, 1994; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent the reduction of fuel supply to the engines during cross-feed operation, which could lead to engine fuel starvation, accomplish the following:

(a) After the effective date of this AD, whenever the fuel balance transfer system (FBTS) is used during maintenance, prior to further flight, perform an inspection to verify that the position indicator of the fuel balance transfer valve (FBTV) is in the closed position, in accordance with Fokker Service Bulletin SBF100–28–030, Revision 1, dated December 5, 1994. The inspection requirements of this paragraph must be accomplished until the deactivation required by paragraph (b) of this AD is accomplished.

(1) If the position indicator is in the closed position, no further action is required by this paragraph.

(2) If the position indicator is in the open position, close the FBTV in accordance with the service bulletin.

(b) Within 90 days after the effective date of this AD, deactivate the FBTS in accordance with either Part 2 or Part 3 of the Accomplishment Instructions of Fokker Service Bulletin SBF100–28–030, Revision 1, dated December 5, 1994, as applicable. Accomplishment of the deactivation constitutes terminating action for the repetitive inspection requirements of paragraph (a) of this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The actions shall be done in accordance with Fokker Service Bulletin SBF100–28–030, Revision 1, dated December 5, 1994, which contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1–3, 5, 8, 10 .	1	December 5, 1994.
4, 6, 7, 9	Original	August 28, 1994.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(f) This amendment becomes effective on April 29, 1996.

Issued in Renton, Washington, on March 21, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–7399 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 39

[Docket No. 95–NM–136–AD; Amendment 39–9554; AD 96–07–05]

Airworthiness Directives; Dornier Model 328–100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328–100 series airplanes, that requires installation of a reinforcement doubler on the rudder skin. This amendment is prompted by the results of a design review of this airplane model that revealed inadequate structural strength of the attachment fitting of the rudder damper and of the adjacent structure. The actions specified by this AD are intended to prevent failure of the attachment structure of the rudder damper in the event of aerodynamic gust loads, as the result of inadequate structural strength of the subject structure.

DATES: Effective April 29, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 29, 1996.

ADDRESSES: The service information referenced in this AD may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Gary Lium, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–1112; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Dornier Model 328–100 series airplanes was published in the Federal Register on January 3, 1996 (61 FR 133). That action proposed to require installation of a reinforcement doubler on the rudder skin.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 12 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will be supplied by the manufacturer at no cost to operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $1,440, or $120 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ‘‘significant regulatory action’’ under Executive Order 12866; (2) is not a ‘‘significant rule’’ under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96–07–05 Dornier: Amendment 39–9554. Docket 95–NM–136–AD.

Applicability: Model 328–100 series airplanes, serial numbers 3005 through 3024 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the attachment structure of the rudder damper in the event of aerodynamic gust loads, accomplish the following:

(a) Within 6 months after the effective date of this AD, install a reinforcement doubler on the rudder skin in accordance with Dornier Service Bulletin SB–328–27–063, Revision 1, dated January 26, 1995.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The installation shall be done in accordance with Dornier Service Bulletin SB–328–27–063, Revision 1, dated January 26, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(e) This amendment becomes effective on April 29, 1996.

Issued in Renton, Washington, on March 21, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–7398 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 97

[Docket No. 28508; Amdt. No. 1718]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference—approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA–200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS–420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260–3, 8260–4, and 8260–5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC on March 22, 1996.

Thomas C. Accardi,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 is revised to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, 44701; and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * * *Effective April 25, 1996*

Athens, GA, Athens Muni, LOC RWY 27, Orig, CANCELLED
Athens, GA, Athens Muni, ILS RWY 27, Orig
Independence, KS, Independence Muni, NDB RWY 17, Amdt 1, CANCELLED
Minneapolis, MN, Airlake, VOR or GPS RWY 11, Amdt 1
Hettinger, ND, Hettinger Municipal, GPS RWY 30, Orig
Chillicothe, OH, Ross County, GPS RWY 23, Orig
Portland, OR, Portland Intl, LOC BC RWY 10L, Amdt 14, CANCELLED
Rice Lake, WI, Rice Lake Rgnl-Carl's Field, VOR/DME RWY 19, Orig

* * * *Effective May 23, 1996*

Arlington, TX, Arlington Muni, GPS RWY 34, Orig

* * * *Effective June 20, 1996*

Harrison, AR, Boone County, GPS RWY 18, Orig
Mountain Home, AR, Baxter County Regional, GPS RWY 5, Orig
Mountain Home, AR, Baxter County Regional, GPS RWY 23, Orig
Pine Bluff, AR, Grider Field, GPS RWY 35, Orig
Warren, AR, Warren Muni, GPS RWY 21, Orig
Muscatine, IA, Muscatine Muni, GPS RWY 23, Orig
Scott City, KS, Scott City Muni, NDB RWY 35, Orig
Alice, TX, Alice Intl, GPS RWY 31, Orig
Alpine, TX, Alpine-Casparis Municipal, GPS RWY 19, Orig
Bay City, TX, Bay City Muni, GPS RWY 13, Orig
Summersville, WV, Summersville, GPS RWY 4, Orig

* * * *Effective Upon Publication*

Sioux Falls, SD, Joe Foss Field, ILS RWY 21, Amdt 8

Note: The FAA published procedures in Docket No. 28475, Amdt. No. 1712 to Part 97 to the Federal Aviation Regulations (VOL. 61, FR No. 41, Page 7699, dated Thursday, February 29, 1996) under Section 97.27 which are hereby amended as follows:

Santa Fe, NM, Santa Fe County Muni, VOR/DME or GPS–A, Amdt 1
Santa Fe, NM, Santa Fe County Muni, NDB or GPS RWY 2, Amdt 4

Note: The FAA published a procedure in Docket No. 28447, Amdt. No. 1707 to Part 97 to the Federal Aviation Regulations (VOL. 61, FR No. 23, Page 3796, dated Friday, February 2, 1996) under Section 97.33 which is hereby amended as follows:

Kaiser/Lake Ozark, MO, Lee C. Fine Memorial, GPS RWY 21, Orig

[FR Doc. 96–7763 Filed 3–28–96; 8:45 am]
BILLING CODE 4910–13–M

14 CFR Part 97

[Docket No. 28509; Amdt. No. 1719]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference-approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA–200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, US Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS–420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviations Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction of charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAM for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been cancelled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making these SIAPs effective in less than 30 days.

Conclusion

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ‘‘significant regulatory action’’ under Executive Order 12866; (2) is not a ‘‘significant rule’’ under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC, on March 22, 1996.

Thomas C. Accardi,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 is revised to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120, 44701; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * * *Effective Upon Publication*

FDC date	State	City	Airport	FDC No.	SIAP
02/08/96	FL	Orlando	Orlando Intl	FDC 6/0901	VOR/DME or GPS RWY 36L AMDT 4.
02/23/96	IL	Sterling Rockfalls	Whiteside County-Joseph H. Bittorf Field.	FDC 6/1172	NDB or GPS RWY 7 AMDT 4. This Corrects Notam in TL96–07.
03/07/96	WI	Rhinelander	Rhinelander-Oneida County	FDC 6/1472	VOR/DME or GPS RWY 5 ORIG, VOR/DME or GPS RWY 23 AMDT 10, VOR/DME or GPS RWY 27 ORIG.
03/08/96	MN	Rushford	Rushford Muni	FDC 6/1484	VOR/DME–A ORIG.
03/08/96	WI	Rhinelander	Rhinelander-Oneida County	FDC 6/1473	ILS RWY 9 AMDT 5, VOR or GPS RWY 9 AMDT 4.
03/11/96	FL	Melbourne	Melbourne Intl	FDC 6/1519	LOC BC RWY 27L, AMDT 8A.
03/13/96	GA	Marietta	Cobb County-McCollum Field	FDC 6/1574	VOR/DME or GPS RWY 9 ORIG.
03/15/96	TX	Lancaster	Lancaster	FDC 6/1621	NDB or GPS RWY 31, ORIG.
03/16/96	IA	Newton	Newton Muni	FDC 6/1634	ILS RWY 32, AMDT 1A.
03/18/96	GA	Winder	Winder	FDC 6/1681	BOR/DME or GPS–A, AMDT 9.
03/18/96	GA	Winder	Winder	FDC 6/1982	LOC RWY 31, AMDT 8.
03/18/96	IL	Peoria	Greater Peoria Regional	FDC 6/1678	ILS/DME RWY 4 ORIG.
03/19/96	OH	Wilmington	Airborne Airpark	FDC 6/1710	ILS/DME RWY 4R AMDT 1.
03/19/96	TS	Pecos	Pecos muni	FDC 6/1709	VOR or GPS RWY 14, AMDT 7.

FDC date	State	City	Airport	FDC No.	SIAP
03/20/96	FL	Fort Myers	Southwest Florida Intl	FDC 6/1749	NDB or GPS RWY 6, AMDT 4.
03/20/96	FL	Fort Myers	Southwest Florida Intl	FDC 6/1750	ILS RWY 6, AMDT 4.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1737	ILS RWY 35, ORIG–A.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1739	NDB or GPS RWY 29, AMDT 19.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1740	ILS RWY 29, AMDT 22.
03/20/96	KY	Louisville	Louisville Intl-Standiford	FDC 6/1741	ILS RWY 1, AMDT 11.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1742	ILS RWY 17, ORIG–A.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1743	RADAR–1, AMDT 25.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1744	NDB or GPS RWY 1, AMDT 8.
03/20/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1746	VOR or TACAN RWY 29, AMDT 22.
03/21/96	GA	Winder	Winder	FDC 6/1782	NDB or GPS RWY 31, AMDT. 8
03/21/96	KY	Louisville	Louisville Intl-Standiford Field ...	FDC 6/1771	ILS RWY 19, AMDT 9A.

[FR Doc. 96–7764 Filed 3–28–96; 8:45 am]
BILLING CODE 4910–13–M

14 CFR Part 97

[Docket No. 28510; Amdt. No. 1720]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference-approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;
2. The FAA Regional Office of the region in which the affected airport is located; or
3. The Flight Inspection Area Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA–200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS–420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Form 8260–5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. The SIAPs contained in this amendment are based on the criteria contained in the United States Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports.

The FAA has determined through testing that current non-localizer type, non-precision instrument approaches developed using the TERPS criteria can be flown by aircraft equipped with Global Positioning System (GPS) equipment. In consideration of the above, the applicable Standard Instrument Approach procedures (SIAPs) will be altered to include ‘‘or GPS’’ in the title without otherwise reviewing or modifying the procedure. (Once a stand alone GPS procedure is developed, the procedure title will be altered to remove ‘‘or GPS’’ from these non-localizer, non-precision instrument approach procedure titles.) Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are, impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a ‘‘significant regulatory action’’ under Executive Order 12866; (2) is not a ‘‘significant rule’’ under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC, on March 22, 1996.

Thomas C. Accardi,

Director, Flight Standard Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 is revised to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120, 44701; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.27, 97.33, 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.27 NDB, NDB/DME; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * * *Effective April 25, 1996*

Alturas, CA, Alturas Muni, NDB or GPS RWY 31, Amdt 1 CANCELLED

Alturas, CA, Alturas Muni, NDB RWY 31, Amdt 1

[FR Doc. 96–7765 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Nicarbazin; Technical Amendment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations regarding the use of nicarbazin in Type C broiler feeds. Because of incorrect amendatory instructions in a final rule that appeared in the Federal Register of June 5, 1995 (60 FR 29483), certain uses of nicarbazin combination Type C broiler feeds were removed from the regulations. This document corrects those errors.

EFFECTIVE DATE: March 29, 1996

FOR FURTHER INFORMATION CONTACT: David L. Gordon, Center For Veterinary Medicine (HFV–238), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1739.

SUPPLEMENTARY INFORMATION: In the Federal Register of June 5, 1995 (60 FR 29483), the animal drug regulations were amended to codify Merck Research Laboratories, Division of Merck & Co.'s NADA 98–378 for use of single ingredient nicarbazin and bacitracin methylene disalicylate Type A articles to make combination drug Type C medicated broiler feeds. The document published with incorrect amendatory language resulting in the removal of certain approved uses of the drug from the regulation. FDA is correcting these errors.

Publication of this document constitutes final action on these changes under the Administrative Procedures Act (5 U.S.C. 553). Notice and public procedures on these corrections is unnecessary because FDA is merely republishing previously approved regulations.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 558 is amended as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR part 558 continues to read as follows:

Authority: Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

2. Section 558.366 is amended in the table in paragraph (c) by alphabetically adding two new entries to read as follows:

§ 558.366 Nicarbazin.

* * * * *

(c) * * *

Nicarbazin in grams per ton	Combination in grams per ton	Indications for use	Limitations	Sponsor
*	*	* * *	*	*
	Roxarsone 22.7 (0.0025).	do	Feed continuously as sole ration from time chicks are placed on litter until past the time when coccidiosis is ordinarily a hazard; as sole source of organic arsenic; do not use a treatment for coccidiosis; do not use in flushing mashes; do not feed to laying hens; withdraw 5 days before slaughter.	000006
	Rosarsone 22.7 (0.0025) plus lincomycin 2 (0.0004).	do	do	000006

Dated: March 14, 1996.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 96–7679 Filed 3–28–96; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1310

[DEA–135F]

RIN 1117–AA30

Manufacturer Reporting

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Final Rule.

SUMMARY: This rule is issued by the Deputy Administrator of the Drug Enforcement Administration (DEA) to implement provisions of the Domestic Chemical Diversion Control Act of 1993 (Pub. 103–200) (DCDCA) to specify certain reporting requirements for manufacturers of listed chemicals. This rule requires bulk manufacturers of listed chemicals to provide annual reports containing certain production data to the DEA.

EFFECTIVE DATE: April 29, 1996. The first annual reports which detail data for calendar year 1995, shall be submitted on or before June 27, 1996.

FOR FURTHER INFORMATION CONTACT: Howard McClain Jr., Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, D.C. 20537 Telephone (202) 307–7183.

SUPPLEMENTARY INFORMATION: The Domestic Chemical Diversion Control Act 1993 (Pub. 103–200) (DCDCA) amended 21 U.S.C. 830(b) to require that regulated persons who manufacture listed chemicals (other than a drug product that is exempted under 21 U.S.C. 802(39)(A)(iv)) report annually to DEA information detailing the specific quantities manufactured. This rule specifies certain reporting requirements for manufacturers of listed chemicals and finalizes a proposed rule published in the Federal Register on September 26, 1995 (60 FR 49529). Interested parties were given 60 days to submit written comments regarding the proposed rule.

Comments

Five organizations submitted comments in response to the proposed regulations. One comment suggested that Section 1310.03(b) be modified in order to clarify that the reporting requirements pertain to both List I and List II chemicals. Therefore Section 1310.01(b) has been amended to clarify that ‘‘Each regulated person who manufactures a List I or List II chemical shall file reports regarding such manufacture as specified in Section 1310.05.’’

Another comment stated that DEA had not clearly established its basis for needing information requested under the reporting requirement. This requirement, which was established by the Domestic Chemical Diversion Control Act of 1993, will provide the DEA with information on the amounts of listed chemicals available in the U.S. and provide specific strategic information and parameters on the size and direction of the legitimate listed chemical market and the availability of such chemicals for diversion. It will also enable the DEA to provide the International Narcotics Control Board (INCB) with aggregate data regarding the production and availability of chemicals controlled under provisions of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

Two comments requested that hydrochloric acid be exempted and one comment suggested that sulfuric acid be exempted since only exports of these chemicals to certain countries are currently regulated. However, both these chemicals are controlled in Table II of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. This reporting provision will enable the DEA to provide the INCB with aggregate manufacturing data on hydrochloric and sulfuric acid.

The DEA recognizes that bulk manufacturers must file other similar reports to other government agencies. For example, one of the comments stated that the requested information is provided to the U.S. Environmental Protection Agency (EPA) four times per year. Therefore, as stated in the Notice of Proposed Rulemaking, if an existing standard industry report contains the information required in Section 1310.06(h) and such information is separate or readily retrievable from the report, that report may be submitted in satisfaction of this requirement. Each report shall be submitted to the DEA under company letterhead and signed by an appropriate, responsible official.

One comment stated that even though the DEA has specified that an existing standard industry report may satisfy the reporting requirements, the reporting obligation would end up as a special report for each listed material at each location and therefore would be extremely burdensome. In addition, two comments dealt with the issue of whether data must be reported by individual facility, as opposed to submitting one corporate report which includes data for all facilities.

In response to these concerns, the DEA has determined that either reporting method is acceptable. Therefore, each business entity which manufactures a listed chemical may elect to (1) report separately by individual location or (2) report as an aggregate amount for the entire business entity. These manufacturers, however, must inform the DEA of which method they will use.

One commentor asked whether inventories should be reported for listed chemicals stored in foreign locations. The DEA has determined that such foreign inventories are not subject to the inventory reporting requirements since such material would have already been reported to the DEA under existing export notification requirements if it were manufactured in the U.S. and shipped to a foreign location.

One commentor requested clarification of the term year-end inventory as used in Section 1310.06(h)(3). For purposes of this annual reporting requirement, inventory shall reflect the quantity of listed chemicals, whether in bulk or non-exempt product form, held in storage for later distribution. Inventory does not include waste material for destruction, material stored as an in-process intermediate or other in-process material. The DEA recognizes that bulk manufacturers may have specific situations which will affect the complexity of inventory reporting. Therefore, the Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration is available to provide guidance in response to questions bulk manufacturers may have regarding what material should be included as inventory.

One commentor requested clarification of the terms ‘‘product’’ and ‘‘converted’’ as used in Section 1310.06(h)(5). The term product refers to all pharmaceutical preparations and chemical mixtures exempted under Sections 1310.01(f)(1)(iv) or 1310.01(f)(1)(v) intended for later distribution. In order to provide clarification of Section 1310.06(h)(5), the term ‘‘converted’’ is being removed. This section will now specify that each annual report required by Section 1310.05(d) shall provide ‘‘[t]he aggregate quantity of each listed chemical manufactured which becomes a component of a product exempted under Section 1310.01(f)(1)(iv) or 1310.01(f)(1)(v) during the preceding calendar year.''

One commentor requested clarification that the reporting requirements do not apply to formulators of chemical mixtures. In response to this comment, a bulk manufacturer is defined under the proposed rule, as a person who produces a listed chemical by means of chemical synthesis or by extraction from other substances. Unless a formulator of chemical mixtures produces a listed chemical by means of chemical synthesis or by extraction from other substances, that formulator is not considered a bulk manufacturer and therefore is not subject to these reporting requirements.

One firm noted that the proposed rule stated that quantities be reported to the nearest kilogram. The comment further stated that this was not feasible due to the large volumes of some of the listed chemicals. In response to this inquiry, be advised that the reference to reporting ''to the nearest kilogram'' was intended to mean that quantities should be reported in kilogram units of measure and was not intended to specify the precision with which data should be supplied. The DEA is therefore modifying the regulatory language to read that information should be reported ''in kilogram units of measure''.

One firm commented that an exemption should be provided for bulk manufacturers that produce listed chemicals solely for internal consumption. The DEA has determined that bulk manufacturers that produce a listed chemical solely for internal consumption shall not be required to report for that listed chemical. For purposes of these reporting requirements, internal consumption shall consist of any quantity of a listed chemical otherwise not available for further resale or distribution. Internal consumption shall include (but not be limited to) quantities used for quality control testing, quantities consumed in-house or production losses. Internal consumption does not include the quantities of a listed chemical consumed in the production of exempted products. (These quantities used in the production of exempted products shall be reported separately.) Section 1310.05 has been modified to reflect this reporting exemption.

One firm commented that the proposed rule establishes a DEA code number for each listed chemical and made a suggestion regarding the use of an alternate numbering system. However, the proposed rule only clarifies and implements manufacturer reporting requirements and does not deal with the issue of DEA code numbers. This issue was previously addressed under the regulations which implemented the Chemical Diversion and Trafficking Act (60 FR 32447). In that notice, DEA responded that it had considered the use of other numbering systems such as the Chemical Abstract Services (CAS) and Harmonized Tariff System (HTS). However, in reviewing these systems DEA determined that they were designed for other purposes and that their use could lead to confusion and jeopardize the accuracy of information reported to DEA. In the HTS numbering system there are multiple chemicals that are assigned the same number and in the CAS numbering system there are chemicals that are assigned multiple codes. The DEA has produced and made available a chemical reference guide that provides a cross reference to the CAS and HTS numbers.

Conclusion

These reporting requirements will apply only to bulk manufacturers of listed chemicals. The term bulk manufacturer as used in this regulation means a person who manufactures a listed chemical by means of chemical synthesis or by extraction from other substances. It does not include persons whose sole activity consists of repackaging or relabeling listed chemical products or the manufacture of drug dosage form products which contain a listed chemical. For each listed chemical, each manufacturer is required to report annually to DEA (1) the year-end inventory, (2) the aggregate quantity manufactured, (3) the aggregate quantity used for internal consumption and (4) the aggregate quantity of each listed chemical manufactured which becomes a component of a product exempted under Section 1310.01(f)(1)(iv) or 1310.01(f)(1)(v) during the preceding calendar year. While manufacturers are required to report the quantities of listed chemicals used in the production of exempted products (e.g. exempted drug products and chemical mixtures), the manufacturer is not required to report data regarding the aggregate quantity of the exempted products produced.

Data provided under these reporting requirements shall be submitted annually to the Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington D.C. 20537, on or before the 15th day of March of the year immediately following the calendar year for which submitted. However, in order to provide sufficient time for preparation of the initial annual reports which detail manufacturing data for calendar year 1995, these initial reports shall not be due until June 27, 1996.

The Attorney General has delegated authority under the CSA and all subsequent amendments to the CSA to the Administrator of the DEA (28 CFR 0.100). The Administrator, in turn, has redelegated this authority to the Deputy Administrator pursuant to 28 CFR 0.104. The Deputy Administrator hereby certifies that this rulemaking will have no significant impact upon entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The DEA estimates that only approximately 210 manufacturers of listed chemicals will be impacted by these reporting requirements. The impact is minimal since the requested information is frequently maintained in the normal course of business operation. In an effort to further minimize the impact of these reporting requirements and avoid duplicate reporting, the DEA will accept existing reports which contain the required data, provided the data is separate or readily retrievable from other data in the report.

This final rule is not a significant regulatory action and therefore has not been reviewed by the Office of Management and Budget pursuant to Executive Order 12866.

This action has been analyzed in accordance with the principles and criteria in E.O. 12612, and it has been determined that the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 21 CFR Part 1310

Drug traffic control, Reporting and recordkeeping requirements, List I and List II Chemicals.

For reasons as set out above, 21 CFR Part 1310 is amended as follows:

PART 1310—[AMENDED]

1. The authority citation for Part 1310 continues to read as follows:

Authority: 21 U.S.C. 801, 830, 871(b).

2. Section 1310.03 is amended by redesignating the existing text as paragraph (a) and adding a new paragraph (b) to read as follows:

§ 1310.03 Persons required to keep records and file reports.

(a) * * *

(b) Each regulated person who manufactures a List I or List II chemical shall file reports regarding such manufacture as specified in Section 1310.05.

3. Section 1310.05 is amended by adding a new paragraph (d) to read as follows:

§ 1310.05 Reports.

* * * * *

(d) Each regulated bulk manufacturer of a listed chemical shall submit manufacturing, inventory and use data on an annual basis as set forth in § 1310.06(h). This data shall be submitted annually to the Drug and Chemical Evaluation Section, Drug Enforcement Administration (DEA), Washington, D.C. 20537, on or before the 15th day of March of the year immediately following the calendar year for which submitted. A business entity which manufactures a listed chemical may elect to report separately by individual location or report as an aggregate amount for the entire business entity provided that they inform the DEA of which method they will use. This reporting requirement does not apply to drug or other products which are exempted under §§ 1310.01(f)(1)(iv) or 1310.01(f)(1)(v) except as set forth in § 1310.06(h)(5). Bulk manufacturers that produce a listed chemical solely for internal consumption shall not be required to report for that listed chemical. For purposes of these reporting requirements, internal consumption shall consist of any quantity of a listed chemical otherwise not available for further resale or distribution. Internal consumption shall include (but not be limited to) quantities used for quality control testing, quantities consumed in-house or production losses. Internal consumption does not include the quantities of a listed chemical consumed in the production of exempted products. If an existing standard industry report contains the information required in § 1310.06(h) and such information is separate or readily retrievable from the report, that report may be submitted in satisfaction of this requirement. Each report shall be submitted to the DEA under company letterhead and signed by an appropriate, responsible official. For purposes of this paragraph only, the term regulated bulk manufacturer of a listed chemical means a person who manufactures a listed chemical by means of chemical synthesis or by extraction from other substances. The term bulk manufacturer does not include persons whose sole activity consists of the repackaging or relabeling of listed chemical products or the manufacture of drug dosage from products which contain a listed chemical.

4. Section 1310.06 is amended by adding a new paragraph (h) to read as follows:

§ 1310.06 Content of records and reports.

* * * * *

(h) Each annual report required by Section 1310.05(d) shall provide the following information for each listed chemical manufactured:

(1) The name, address and chemical registration number (if any) of the manufacturer and person to contact for information.

(2) The aggregate quantity of each listed chemical that the company manufactured during the preceding calendar year.

(3) The year-end inventory of each listed chemical as of the close of business on the 31st day of December of each year. (For each listed chemical, if the prior period's ending inventory has not previously been reported to DEA, this report should also detail the beginning inventory for the period.) For purposes of this requirement, inventory shall reflect the quantity of listed chemicals, whether in bulk or non-exempt product form, held in storage for later distribution. Inventory does not include waste material for destruction, material stored as an in-process intermediate or other in-process material.

(4) The aggregate quantity of each listed chemical used for internal consumption during the preceding calendar year, unless the chemical is produced solely for internal consumption.

(5) The aggregate quantity of each listed chemical manufactured which becomes a component of a product exempted from Section 1310.01(f)(1)(iv) or 1310.01(f)(1)(v) during the preceding calendar year.

(6) Data shall identify the specific isomer, salt or ester when applicable but quantitative data shall be reported as anhydrous base or acid in kilogram units of measure.

Dated: March 19, 1996.

Stephen H. Greene,

Deputy Administrator, Drug Enforcement Administration.

[FR Doc. 96–7739 Filed 3–28–96; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Occupational Safety and Health Review Commission

29 CFR Part 2201

Revisions to Rules Implementing the Freedom of Information Act

AGENCY: Occupational Safety and Health Review Commission.

ACTION: Final rule.

SUMMARY: This document makes certain technical and nomenclature changes. In addition, the Commission is revising its fee structure for documents sought under the Freedom of Information Act to compensate for rising costs.

EFFECTIVE DATE: These amendments are effective March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Linda A. Whitsett, Freedom of Information Act Officer, Occupational Safety and Health Review Commission, Room 903, 1120 20th St. N.W., Washington, DC 20036. Phone (202) 606–5398.

SUPPLEMENTARY INFORMATION: Part 1921 is being amended to reflect certain technical changes in the Commission's implementation of the Freedom of Information Act. Primarily, the Commission has changed the title of the ''Public Information Specialist'' to the ''Freedom of Information Act Officer.'' Part 1921 is revised to reflect that change. In addition, decisions will no longer be available at the Commission's regional offices. Accordingly, references to the field offices are eliminated. Finally, the Commission is increasing several fees associated with Freedom of Information Act requests to compensate for rising costs incurred since the fees were set in 1988.

List of Subjects in 29 CFR Part 2201

Freedom of information, Records.

For the reasons set forth in the preamble, title 29, chapter XX, part 2201 is amended as set forth below:

PART 2201—REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT

1. The authority for part 2201 continues to read as follows:

Authority: 29 U.S.C. 661(g); 5 U.S.C. 552.

2. In part 2201 all references to ''Public Information Specialist'' are removed and ''Freedom of Information Act Officer'' added in their places.

3. Section 2201.3 is revised to read as follows:

§ 2201.3 Delegation of authority.

The Freedom of Information Act Officer is delegated the authority to act upon all requests for public records. In the absence of the Freedom of Information Act Officer, the Chairman or the Executive Director may designate another Commission officer or employee, such as the General Counsel or the Executive Secretary, to respond to requests. Copies of individual Commission decisions may be obtained directly from the Freedom of Information Act Officer at the Commission's national office. See § 2201.5(a). All other information requests shall be directed to the Freedom of Information Act Officer. See § 2201.6(b).

4. Section 2201.5 is amended by revising paragraphs (a) and (b)(1) to read as follows:

§ 2201.5 Copies of Commission decisions.

(a) *Single decisions.* One copy of a Commission decision or decision by an Administrative Law Judge may be obtained free of copying fees by calling, writing or visiting the Freedom of Information Act Officer at the Commission's national office. A search fee may be charged, however, if the decision is not identified by name and date, or by docket number, or if it is not otherwise easily identifiable. See § 2201.8 (b)(2)(i). Copying fees will be charged if more than one decision is requested and the copying cost exceeds $10. See § 2201.8 (a)(1) and (b)(1). The address and telephone number of the office at which decisions are available is OSHRC, Freedom of Information Act Officer, One Lafayette Centre, 1120–20th St. NW., room 900, Washington, DC 20036–3419. Telephone 202–606–5398.

(b)(1) *OSAHRC Reports.* All final Commission decisions from 1971 through 1992 (including decisions of the Commission and its Administrative Law Judges) of general applicability, and concurring and dissenting opinions, are published in a series of microfiche entitled OSAHRC Reports. OSAHRC Reports may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402. Persons wishing to obtain copies of numerous decisions and avoid large copying charges may purchase OSAHRC Reports or subscribe to a private reporting service. Decisions issued after 1992 are available by calling, writing or visiting the national office.

* * * * *

5. Section 2201.8 is amended by revising the first sentence of paragraph (b)(2) introductory text to read as follows:

§ 2201.8 Fees for copying, searching, and review.

* * * * *

(b) *Types of fees.* * * *

(2) *Search fee.* The fee for searching for information and records shall be $19 per hour of clerical time and $46 per hour of professional time. * * *

* * * * *

Dated: March 25, 1996.

Earl R. Ohman, Jr.,

General Counsel.

[FR Doc. 96–7659 Filed 3–28–96; 8:45 am]

BILLING CODE 7600–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05–96–014]

Special Local Regulations for Marine Events; 17th Annual Safety at Sea Seminar, Severn River, Annapolis, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation of 33 CFR 100.511.

SUMMARY: This notice implements 33 CFR 100.511 for the 17th Annual Safety at Sea Seminar, an annual event to be held March 30, 1996, on the Severn River at Annapolis, Maryland. These special local regulations are necessary to control vessel traffic within the immediate vicinity of the U.S. Naval Academy during the Pyrotechnic Display, Helicopter Rescue Demonstration, and Sail Training Craft Maneuver Demonstration. The effect will be to restrict general navigation in this area for the safety of the spectators and the participants in these events.

EFFECTIVE DATES: The regulations in 33 CFR 100.511 are effective from 11 a.m. to 3:30 p.m. on March 30, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Phillips, Chief, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704–5004 (804) 398–6204, or Commander, Coast Guard Group Baltimore (410) 576–2516.

SUPPLEMENTARY INFORMATION: The U.S. Naval Academy, Annapolis, Maryland, submitted an application to hold the 17th Annual Safety at Sea Seminar on the Severn River just off the Robert Crown Sailing Center, U.S. Academy, Annapolis, Maryland. The event includes demonstrations of life rafts, pyrotechnics, use of anti-exposure suits, man overboard procedures, and a helicopter rescue. Since this event is of the type contemplated by these regulations, the safety of the participants will be enhanced by the implementation of the special local regulations. Commercial traffic should not be severely disrupted.

Dated: March 21, 1996.

W.J. Ecker,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 96–7715 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–14–M

POSTAL SERVICE

39 CFR Part 20

Expansion of Global Priority Mail

AGENCY: Postal Service.

ACTION: Interim rule with request for comments.

SUMMARY: The Postal Service is expanding Global Priority Mail service by increasing the number of acceptance points, countries (annotated in bold in the text) and adding weight variable rates for items up to four pounds.

DATES: The interim regulations take effect March 25, 1996. Comments must be received on or before May 28, 1996.

ADDRESSES: Written comments should be mailed or delivered to the Manager, Commercial Products, International Business Unit, US Postal Service, Room 370–IBU, 475 L'Enfant Plaza SW, Washington, DC 20260–4261. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, at the above address.

FOR FURTHER INFORMATION CONTACT: Jay Thabet, (202) 268–2269.

SUPPLEMENTARY INFORMATION: On March 17, 1995, the Postal Service published in the Federal Register (60 FR 14370) interim regulations implementing WORLDPOST Priority Letter and requested comments. A final rule adopting the interim rules as final was filed at the Office of the Federal Register March 25, 1996. In the final rule the name of the service was changed to Global Priority Mail service and additional acceptance points were added.

Global Priority Mail is an expedited airmail service providing fast reliable, and economical delivery of all items mailable as letters. Although a Global Priority Mail item will travel in the normal airmail stream between the United States and the destination country, the item will receive priority handling in the United States and, typically, in the destination country. In the United States, after the item is deposited, the Postal Service will transport it in a dedicated stream to the appropriate gateway for dispatch. Upon arrival in the destination country, the item will also receive priority handling. Service is available only in certain ZIP Code areas in the United States and only to certain countries.

The Postal Service is now expanding the number of acceptance points to make the service more widely available. The new acceptance points are set forth below. The Postal Service is also adding weight variable rates. With the new rates, customers may use their own packaging for items weighing up to 4 pounds. Each variable weight item must bear a Global Priority Mail sticker provided by the Postal Service. These changes will make Global Priority Mail available to more customers and should make the service more useful, by making it easier to mail items other than documents or letters.

Although 39 U.S.C. 407 does not require advance notice and opportunity for submission of comments, and the Postal Service is exempted by 39 U.S.C. 410 (a) from the advance notice requirements of the Administrative Procedure Act regarding proposed rulemaking (5 U.S.C 553), the Postal Service invites interested persons to submit written data, views, or comments concerning the interim rule.

The Postal Service adopts the following interim amendments to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

List of Subjects in 39 CFR Part 20

International postal service, Foreign relations.

PART 20—[AMENDED]

1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

2. Chapter 2 of the International Mail Manual is amended by revising part 226 to read as follows:

2 CONDITIONS FOR MAILING

* * * * *

226 Global Priority Mail

226.1 General

226.11 Definition

Global Priority Mail is an expedited airmail letter service providing fast, reliable, and economical delivery of all items mailable as letters or merchandise up to 4 pounds. Global Priority Mail items receive priority handling in the United States and in destination countries. Service is available only to destination countries identified in 226.2, from post offices identified in 226.3.

226.12 Permissible Items

All items sent as letter class mail (see 221.1) are accepted in Global Priority Mail provided the contents are mailable and fit securely in the envelope. Global Priority Mail items may contain dutiable merchandise unless the country of destination specifically prohibits dutiable merchandise in letters (see 224.51). Any item that is prohibited in international mail is prohibited in Global Priority Mail. Refer to the ‘‘Country Conditions of Mailing’’ in the individual country listings for individual country prohibitions.

226.13 Packaging

Items must fit comfortably within the flat-rate envelope without distorting or bursting the container. No excessive use of tape to keep the envelopes from bursting, only one piece of tape may be used to secure the flap.

226.2 Availability

Global Priority Mail is available to the following additional countries:

Western Europe	Pacific Rim	North America
Austria	Australia	Canada.
Belgium	Hong Kong.	
Denmark	Japan.	
Finland	Korea, Republic of.	
France	New Zealand.	
Germany	Philippines.	
Iceland	Singapore.	
Ireland	Taiwan.	
Luxembourg	Thailand.	
Netherlands, The.	Vietnam.	
Norway.		
Portugal.		
Spain.		
Sweden.		
Switzerland.		
United Kingdom.*		

*Includes all points in England, Scotland, Wales, Northern Ireland, Guernsey, Jersey, and the Isle of Man.

226.3 Mailing Locations

226.31 Acceptance Offices and Pickup Service Locations

Global Priority Mail service is available only through the designated post offices and the additional post offices listed in 226.32. Pickup Service is available for an additional fee. (See 226.83.)

226.32 Service Areas

Service is available only from the metropolitan areas as defined by the ZIP Code ranges shown below. If Global Priority Mail is presented at a non-participating retail unit, advise the customer that the item cannot be accepted as Global Priority Mail. Refer customer to the nearest Global Priority Mail retail acceptance unit. Within these service areas, prepaid items may be given to carriers, deposited in Express Mail collection boxes, or mailed at post offices, stations, and branches.

Global Priority Mail Acceptance Cities and Three-Digit ZIP Codes

ALABAMA

Anniston: 362
Birmingham: 352
Huntsville: 356, 357, 358
Mobile: 366
Montgomery: 361, 368

ARIZONA

Phoenix: 850, 852, 853
Tucson: 857

ARKANSAS

Little Rock: 722
West Memphis: 723

CALIFORNIA

Industry: 917, 918
Inglewood: 902, 903, 904, 905
Long Beach: 906, 907, 908
Los Angeles: 900, 901
North Bay: 949
Oakland: 945, 946, 947, 948,
Pasadena: 910, 911, 912
Salinas: 939
San Diego: 919, 920, 921
San Francisco: 940, 941, 943, 944
San Jose: 950, 951
Santa Ana: 926, 927, 928
Van Nuys: 913, 914, 915, 916

COLORADO

Brighton: 806
Colorado Springs: 808, 809
Denver: 800, 801, 802, 803
Longmont: 805
Pueblo: 810

CONNECTICUT

Hartford: 060, 061, 062
New Haven: 063, 064, 065, 066
Stamford: 068, 069
Waterbury: 067

DELAWARE

Wilmington: 197, 198, 199

DISTRICT OF COLUMBIA (Washington, DC)

Washington: 200, 202, 203, 204, 205

FLORIDA

Daytona Beach: 321
Fort Myers: 339
Ft. Lauderdale: 333
Gainesville: 326, 344
Jacksonville: 320, 322
Lakeland: 338
Manasota: 342
Miami: 331, 332
Mid-Florida: 327

Orlando: 328, 329, 347
South Florida: 330
St. Petersburg: 337
Tallahassee: 323
Tampa: 335, 336, 346
West Palm Beach: 334, 349

GEORGIA

Albany: 317
Athens: 306
Atlanta: 303, 311
Augusta: 298, 308, 309
Columbus: 318, 319
Macon: 310, 312
North Metro: 300, 301, 302, 305
Savannah: 299, 313, 314
Swainsboro: 304
Valdosta: 316
Waycross: 315

INDIANA

Bloomington: 474
Columbus: 472
Evansville: 424, 476, 477
Fort Wayne: 467, 468
Gary: 463, 464
Indianapolis: 460, 461, 462
Kokomo: 469
Lafayette: 479
Muncie: 473
South Bend: 465, 466
Terre Haute: 478
Washington: 475

ILLINOIS

Bloomington: 617
Carbondale: 629
Carol Stream: 601, 603
Centralia: 628
Chicago: 606, 607, 608
Effingham: 624
Champaign: 618, 619
Fox Valley: 605
Galesburg: 614
Kankakee: 609
La Salle: 613
Palatine: 600, 602
Peoria: 615, 616
Quincy: 623, 634, 635
Rockford: 610, 611
Rock Island: 612
Springfield: 625, 626, 627
South Suburban: 604

IOWA

Burlington: 526
Cedar Rapids: 522, 523, 524
Davenport: 527, 528
Des Moines: 500, 501, 502, 503, 509
Dubuque: 520
Mason City: 504
Ottumwa: 525
Sioux City: 510, 511
Waterloo: 506, 507

KANSAS

Fort Scott: 667
Kansas City: 660, 661, 662
Hays: 676
Salina: 674
Topeka: 664, 665, 666, 668
Wichita: 672

KENTUCKY

Ashland: 411, 412
Bowling Green: 421, 422
Campton: 413, 414
Elizabeth: 427
Evansville: 424, 476
Louisville: 400, 401, 402, 471
Lexington: 403, 404, 405, 406
Owensboro: 423
Pikeville: 415, 416

LOUISIANA

Baton Rouge: 707, 708
New Orleans: 700, 701
Hammond: 704
Thibodaux: 703

MAINE

Bangor: 044, 046, 047
Portland: 040, 041, 042, 043, 045, 048, 049

MARYLAND

Baltimore: 210, 211, 212, 214, 219
Cumberland: 215, 267
Easton: 216
Frederick: 217
Salisbury: 218
Southern: 206, 207
Suburban: 208, 209

MASSACHUSETTS

Boston: 021, 022
Brockton: 020, 023, 024
Buzzard Bay: 025, 026
Middlesex-Essex: 018, 019
Pittsfield: 012
Springfield: 013, 010, 011
Worchester: 014, 015, 016, 017

MICHIGAN

Detroit: 481, 482
Flint: 484, 485
Gaylord: 497
Grand Rapids: 493, 494, 495
Jackson: 492
Kalamazoo: 490, 491
Lansing: 488, 489
Royal Oak: 480, 483
Saginaw: 486, 487
Traverse City: 496

MINNESOTA

Detroit Lakes: 565
Duluth: 558
Mankato: 560
Minneapolis: 553, 554f
Rochester: 559
Saint Cloud: 563
St. Paul: 550, 551, 540
Thief River Falls: 567
Willmar: 562
Windom: 561

MISSISSIPPI

Grenada: 389
Gulf Port: 395
Hattiesburg: 394
Jackson: 392
McComb: 396

MISSOURI

Cape Girardeau: 636, 637, 638, 639
Chillicothe: 646
East St. Louis: 622
Harrisonville: 647
Kansas City: 640, 641
Mid-Missouri: 650, 651, 652, 653
Saint Joseph: 644, 645
Springfield: 648, 654, 655, 656, 657, 658
St. Louis: 620, 630, 631, 633

MONTANA

Billings: 591

NEBRASKA

Lincoln: 683, 684, 685
Norfolk: 686, 687
Omaha: 515, 516, 680, 681

NEVADA

Las Vegas: 891

NEW HAMPSHIRE

Manchester: 030, 031, 032, 033, 034
Portsmouth: 038, 039

NEW JERSEY

Hackensack: 076
Kilmer: 088, 089
Monmouth: 077
Newark: 070, 071, 072, 073
Paterson: 074, 075
South Jersey: 080, 081, 082, 083, 084
Trenton: 085, 086, 087
West Jersey: 078, 079

NEW MEXICO

Albuquerque: 871

NEW YORK

Albany: 120, 121, 122, 123
Binghamton: 137, 138, 139
Bronx: 104
Brooklyn: 112
Buffalo: 140, 141, 142, 143
Elmira: 148, 149
Glen Falls: 128
Jamestown: 147
Long Island: 111
Mid-Hudson: 124, 125, 126, 127
Mid Island: 119
New York: 100, 101, 102
Plattsburgh: 129
Queens: 110, 113, 114, 116
Rochester: 144, 145, 146
Rockland: 109
Staten Island: 103
Syracuse: 130, 131, 132
Utica: 133, 134, 135
Watertown: 136
Westchester: 105, 106, 107, 108
Western Nassau: 115

NORTH CAROLINA

Asheville: 287, 288, 289
Charlotte: 280, 281, 282, 297
Greensboro: 270, 271, 272, 273, 274
Hickory: 286
Raleigh: 275, 276, 277

NORTH DAKOTA

Bismarck: 585
Dickinson: 586
Devils Lake: 583
Fargo: 580, 581
Grand Forks: 582
Jamestown: 584
Minot: 587
Williston: 588

OHIO

Akron: 442, 443
Athens: 457
Canton: 446, 447
Chillicothe: 456
Cincinnati: 410, 450, 451, 452, 470
Cleveland: 440, 441
Columbus: 430, 431, 432, 433
Dayton: 453, 454, 455
Lima: 458
Mansfield: 448, 449
Steubenville: 439
Toledo: 434, 435, 436

Youngstown: 444, 445
Zanesville: 337–338

OKLAHOMA

Ardmore: 734
Clinton: 736
Durant: 747
Enid: 737
Lawton: 735
McAlester: 745
Muskogee: 744
Oklahoma City: 730, 731
Ponca City: 746
Poteau: 749
Shawnee: 748
Tulsa: 740, 741, 743
Woodard: 738

OREGON

Portland: 972

PENNSYLVANIA

Altoona: 166, 168
Bradford: 167
Dubois: 158
Erie: 164, 165
Greensburg: 156
Harrisburg: 170, 171, 172, 178
Johnstown: 155, 157, 159
Lancaster: 173, 174, 175, 176
Lehigh Valley: 180, 181, 183
New Castle: 160, 161, 162
Oil City: 163
Philadelphia: 190, 191
Pittsburgh: 150, 151, 152, 153, 154
Reading: 179, 195, 196
Scranton: 184, 185, 188
Southeastern: 189, 193, 194
Wilkes-Barre: 182, 186, 187

PUERTO RICO/VIRGIN ISLANDS

San Juan: 006, 007, 008, 009

RHODE ISLAND

Providence: 027, 028, 029

SOUTH CAROLINA

Charleston: 294
Columbia: 290, 291, 292
Florence: 295
Greenville: 293, 296

SOUTH DAKOTA

Aberdeen: 574
Dakota Central: 572, 573
Mobridge: 576
Pierre: 575
Rapid City: 577
Sioux Falls: 570, 571

TENNESSEE

Chattanooga: 307, 373, 374
Columbia: 384
Cookeville: 385
Jackson: 383
Johnson City: 376
Knoxville: 377, 378, 379
McKenzie: 382
Memphis: 380, 381, 386
Nashville: 370, 371, 372

TEXAS

Abilene: 768, 795, 796
Amarillo: 791
Austin: 786, 787, 789
Beaumont: 776, 777
Bryan: 778
Corpus Christi: 784
Dallas: 751, 752, 753
El Paso: 799
Fort Worth: 760, 761, 762, 764
Greenville: 754
Houston: 770, 772
Longview: 756
Lubbock: 794
Lufkin: 759
North Houston: 773, 774, 775
North Texas: 750
Palestine: 758
San Angelo:769
San Antonio: 780, 781, 782, 788
Texarkana: 755
Tyler: 757
Waco: 765, 766, 767
Wichita Falls: 763

UTAH

Provo: 845, 846, 847
Salt Lake City: 840, 841, 843, 844

VERMONT

Burlington: 054, 056
White River Junction: 035, 036, 037, 050, 051, 052, 053, 057, 058, 059

VIRGINIA

Charlottesville: 228, 229, 244
Culpeper: 227
Farmville: 239
Northern Virginia: 201, 220, 221, 222, 223
Norfolk: 233, 234, 235, 236, 237
Richmond: 224, 225, 230, 231, 232, 238
Winchester: 226

WASHINGTON

Everett: 982
Olympia: 985
Seattle: 980, 981
Tacoma: 983, 984
Wenatchee: 988
Yakima: 989

WEST VIRGINIA

Charleston: 250, 251, 252, 253
Huntington: 255, 256, 257
Martinsburg: 254
Wheeling: 260

WISCONSIN

Eau Claire: 547
Green Bay: 543
La Crosse: 546
Madison: 537
Milwaukee: 530, 531, 532
Oshkosh: 549
Racine: 534
Spooner: 548

WYOMING

Cheyenne: 820

226.4 Postage

226.41 Flat Rate Envelopes Postage

Each Global Priority Mail flat rate envelope is charged at a flat rate. The rate is based on the geographic rate zone regardless of its actual weight. Postage is required for each piece.

EXHIBIT 226.41

Destination	Small envelope	Large envelope
Western Europe*	$3.75	$6.95
Canada*	3.75	6.95
Pacific Rim*	4.95	8.95

*See 226.2 for listing.

226.42 Variable Weight Option Postage—Single Piece Rates

Global Priority Mail variable weight rates are calculated in half (or fraction thereof) increments based on the weight of each piece the destination geographic rate zone up to four pounds. (See Exhibit 226.42.)

EXHIBIT 226.42.—VARIABLE WEIGHT RATE STICKER POSTAGE

Weight level (lbs.)	Western Europe	Pacific Rim	Canada
0.5	$7.00	$8.00	$5.95
1.0	10.50	12.50	10.00
1.5	12.50	16.95	13.50
2.0	15.00	21.00	16.50
2.5	17.50	23.95	18.00
3.0	19.95	27.25	19.50
3.5	22.00	31.50	21.00
4.0	24.75	34.50	22.50

226.43 Global Priority Mail Sticker—Volume Rates

226.431 Minimum Quantity Requirement

The mailer must have a minimum of 5 or more pieces to one or more Global Priority Mail countries. The minimum does not apply to each geographic zone rate.

226.432 Mailing Statement

Postage for volume rate mail and permit imprint must be computed on Form 3653, Global Priority Mail Statement of Mailings.

EXHIBIT 226.43.—VARIABLE WEIGHT STICKER OPTION—VOLUME RATES

Weight level	Western Europe	Pacific Rim	Canada
0.5	$5.95	$6.95	$5.00
1.0	8.50	10.00	7.50
1.5	10.00	13.50	10.00
2.0	12.00	16.95	12.50
2.5	14.00	19.25	13.50
3.0	16.95	21.95	14.50
3.5	19.95	25.50	15.50
4.0	22.50	27.75	16.50

226.5 Payment Methods

226.51 Postage Payment Methods

Nonidentical weight piece mailings must have the applicable postage affixed by adhesive stamps, meter stamps or if presented at a post office, postal validation imprinter (PVI labels). Identical weight piece mailings may be paid by meter stamps, adhesive stamps, PVI labels or permit imprint subject to certain standards. To use permit imprint, the mailing must consist of 200 or more pieces and be of identical weight. The 200 pieces criteria for permit imprint applies to both volume rate and flat rate mail. Mailers may use permit imprint with nonidentical weight items only if authorized by the USPS under a Manifest Mailing System (MMS), in Domestic Mail Manual (DMM) P710.

226.52 Postal Marking Related to Volume Rate Postage

When pieces are paid at the volume rate and paid by stamps or meter impression, each piece must be legibly marked with the words ''Volume Rate Global Priority Mail.'' If stamps are used the endorsement must appear on the address side of each piece and must be applied by a printing press, hand stamp or other similar printing device. If meter impression is used the endorsement must be in the ad plate or the slug area. If part of the slug, the abbreviation GPM Vol. Rate may be used. See DMM P030.4.14 for specification of size requirements.

226.53 Permit Imprint Content and Format

All permit imprints on Global Priority Mail must show city and state, ''Global Priority Mail,'' U.S. Postage Paid, and permit number. They may show the mailing date, amount of postage paid or the number of ounces for each postage.

226.54 Meter Stamps Content

At a minimum, a meter stamp must show the month, day and year in the postmark, city and state designation of the licensing post office, the number, and the amount of postage. See DMM P030.4.6.

226.6 Preparation Requirements

226.61 Addressing

All items must bear the complete delivery address of the addressee and the full name (no abbreviations) of the destination country. See 122.

226.62 Marking

Global Priority Mail items must be mailed in special envelopes (EP–15A, EP–15B) or with the Global Priority Mail sticker (DEC–10) provided by the Postal Service. (These supplies may be obtained by calling 800–222–1811.) Unmarked pieces are subject to the applicable LC/AO airmail regular rates and treatment. Pieces paid at the Global Priority Mail sticker rate must be affixed to the address side of the package.

226.63 Customs

A green customs label must be affixed if the package is 1 pound or more, regardless of its contents. Only documents and correspondence under 1 pound do not require a customs form.

226.7 Size and Weight Limits

226.71 Size Limits

226.72 Flat-Rate Envelope Sizes

a. Small Size: 6×10 inches.
b. Large Size: 9½×12½ inches.

226.73 Package Sizes for Variable Weight Option

a. Minimum length and height: 5½×3½ inches.
b. Minimum depth (thickness): .007 inches.
c. Maximum length: 24 inches.
d. Maximum length, height, depth (thickness) combined: 36 inches.

226.74 Rolls

a. Minimum length: 4 inches.
b. Minimum length plus twice the diameter combined: 6¾ inches.
c. Maximum length: 36 inches.
d. Maximum length plus twice the diameter combined: 42 inches.

226.75 Weight Limits

Items sent as Global Priority Mail in envelopes and the variable weight option must not exceed 4 pounds.

226.76 Special Services

Mailers may obtain certificates of mailing (see 310). No other special services such as registry, insurance, restricted delivery, return receipt, or recorded delivery are available.

226.8 Mailer Preparation

226.81 Mailer Requirement

Global Priority Mail claimed at the volume rate must be separated by geographic rate zone (Western Europe, Pacific Rim, and Canada) when presented to the business mail entry unit unless otherwise authorized by the USPS. All pieces in a permit imprint mailing and metered mail must be facing the same direction.

226.82 Deposit Of Mail

Global Priority Mail pieces paid by permit imprint and pieces claimed at the Global Priority Mail volume rates must be deposited at a business mail acceptance unit as authorized by the postmaster in the designated Global Priority Mail sites for weighing. Flat rate envelopes with postage affixed may be deposited in any Express Mail Street collection or other such place where Express Mail is accepted. Metered mail must be deposited in locations under the jurisdiction of the licensing post office except as permitted under DMM P030.

226.83 Pickup Service

On call and scheduled pickup service are available for Global Priority Mail from the designated Global Priority Mail acceptance cities. There is a charge of $4.95 for each pickup stop, regardless of the number of pieces picked up. (See DMM D010 for standards of pickup service.) Pickup is not available for Global Priority Mail pieces if paid by permit imprint or claimed at the volume rate.

* * * * *

A transmittal letter making the changes in the pages of the International Mail Manual will be published and transmitted automatically to subscribers. Notice of issuance of the transmittal letter will be published in the Federal Register as provided by 39 CFR 20.3.

Stanley F. Mires,
Chief Counsel, Legislative.

[FR Doc. 96–7587 Filed 3–26–96; 10:30 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD–FRL–5449–8]

Standards of Performance for New Stationary Sources: Industrial-Commercial-Institutional Steam Generating Units; Louisiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final revision of rule.

SUMMARY: New source performance standards (NSPS) limiting emissions of nitrogen oxides (NO_X) from industrial-commercial-institutional steam generating units capable of combusting more than 100 million Btu per hour were proposed on June 19, 1984 and were promulgated on November 25, 1986. These standards limit NO_X emissions from the combustion of fossil fuels, as well as the combustion of fossil fuels with other fuels or wastes. The standards include provisions for facility-specific NO_X standards for steam generating units which simultaneously combust fossil fuel and chemical byproduct waste(s) under certain conditions. This document approves a facility-specific NO_X

standard that was proposed on December 28, 1994 for a steam generating unit which simultaneously combusts fossil fuel and chemical by-product waste (vent gas) at the Cytec Industries Fortier Plant located in Westwego, Louisiana.

EFFECTIVE DATE: March 29, 1996.

ADDRESSES: Docket. Docket Number A–94–48, containing supporting information used in developing the proposed revision, is available for public inspection and copying between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday (except for government holidays) at the EPA's Air and Radiation Docket and Information Center, Room M1500, 401 M Street, SW., Washington, DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. George Smith at telephone number (919) 541–1549, Emission Standards Division, Combustion Group (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION:

Background

The objective of the NSPS, promulgated on November 25, 1986 is to limit NO_X emissions from the combustion of fossil fuel. For steam generating units combusting by-product waste, the requirements of the NSPS vary depending on the operation of the steam generating units.

During periods when only fossil fuel is combusted, the steam generating unit must comply with the NO_X emission limits in the NSPS for fossil fuel. During periods when only by-product waste is combusted, the steam generating unit may be subject to other requirements or regulations which limit NO_X emissions, but it is not subject to NO_X emission limits under the NSPS. In addition, if the steam generating unit is subject to Federally enforceable permit conditions limiting the amount of fossil fuel combusted in the steam generating unit to an annual capacity factor of 10 percent or less, the steam generating unit is not subject to NO_X emission limits under the NSPS when it simultaneously combusts fossil fuel and by-product waste.

With the exception noted above, during periods when fossil fuel and by-product waste are simultaneously combusted in a steam generating unit, the unit must generally comply with NO_X emission limits under § 60.44b(e) of the NSPS. Under § 60.44b(e) the applicable NO_X emission limit depends on the nature of the by-product waste combusted. In some situations, however, ''facility-specific'' NO_X emission limits developed under § 60.44b(f) may apply. The order for determining which NO_X emission limit applies is as follows.

A steam generating unit simultaneously combusting fossil fuel and by-product waste is expected to comply with the NO_X emission limit under § 60.44b(e); only in a few situations may NO_X emission limits developed under § 60.44b(f) apply. Section 60.44b(e) includes an equation to determine the NO_X emission limit applicable to a steam generating unit when it simultaneously combusts fossil fuel and by-product waste.

Only where a steam generating unit which simultaneously combusts fossil fuel and by-product waste is unable to comply with the NO_X emission limit determined under § 60.44b(e), might a facility-specific NO_X emission limit under § 60.44b(f) apply. This section permits a steam generating unit to petition the Administrator for a facility-specific NO_X emission limit. A facility-specific NO_X emission limit will be proposed and promulgated by the Administrator for the steam generating unit, however, only where the petition is judged to be complete.

To be considered complete, a petition for a facility-specific NO_X standard under § 60.44b(f) consists of three components. The first component is a demonstration that the steam generating unit is able to comply with the NO_X emission limit for fossil fuel when combusting fossil fuel alone. The purposes of this provision are to ensure that the steam generating unit has installed best demonstrated NO_X control technology, to identify the NO_X control technology installed, and to identify the manner in which this technology is operated to achieve compliance with the NO_X emission limit for fossil fuel.

The second component of a complete petition is a demonstration that this NO_X control technology does not enable compliance with the NO_X emission limit for fossil fuel when the steam generating unit simultaneously combusts fossil fuel with chemical by-product waste under the same conditions used to demonstrate compliance on fossil fuel alone. In addition, this component of the petition must identify what unique and specific properties of the chemical by-product waste(s) are responsible for preventing the steam generating unit from complying with the NO_X emission limit for fossil fuel.

The third component of a complete petition consists of data and/or analysis to support a facility-specific NO_X standard for the steam generating unit when it simultaneously combusts fossil fuel and chemical by-product waste and operates the NO_X control technology in the same manner in which it would be operated to demonstrate and maintain compliance with the NO_X emission limit for fossil fuel, if only fossil fuel were combusted. This component of the petition must identify the NO_X emission limit(s) and/or operating parameter limits, and appropriate testing, monitoring, reporting and recordkeeping requirements which will ensure operation of the NO_X control technology and minimize NO_X emissions at all times.

Upon receipt of a complete petition, the Administrator will propose a facility-specific NO_X standard for the steam generating unit when it simultaneously combusts chemical by-product waste with fossil fuel. The NO_X standard will include the NO_X emission limit(s) and/or operating parameter limit(s) to ensure operation of the NO_X control technology at all times, as well as appropriate testing, monitoring, reporting and recordkeeping requirements.

Comments on the Proposed Standards

After completing construction of its C.AOG incinerator, Cytec Industries conducted tests of NO_X emissions under actual operating conditions. Cytec Industries has provided the emissions data from these tests to the EPA (Agency). The actual emissions data comes very close to what was predicted by the calculations made by Cytec Industries, and thus demonstrates the actual need for the facility-specific NO_X standard.

Aside from the emissions data supplied to the Agency by Cytec Industries, no other comments were received on the proposed standard. Consequently, the Administrator has decided not to change the proposed standard, and to promulgate it, as proposed.

Administrative Requirements

Executive Order 12866

Under Executive Order 12866 (58 FR 51735, (October 4, 1993)), the Agency must determine whether the regulatory action is ''significant'' and, therefore, subject to OMB review and the requirements of the Executive Order. The Order defines a ''significant regulatory action'' as one that is likely to result in a rule that may:

1. Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy,

productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

2. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

3. Materially alter the budgetary impact of entitlements, grants, user fees, or land programs or the rights and obligations of recipients thereof; or

4. Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

This rule was classified ''non-significant'' under Executive Order 12866 and, therefore, was not reviewed by the Office of Management and Budget.

Paperwork Reduction Act

The information collection requirements of the previously promulgated NSPS under 40 CFR Part 60, Subpart Db were submitted to and approved by the Office of Management and Budget. A copy of this Information Collection Request (ICR) document (OMB control number 2060–0135) may be obtained from Sandy Farmer, Information Policy Branch (PM–223Y); U.S. Environmental Protection Agency; 401 M Street, SW; Washington, DC 20460 or by calling (202) 260–2740. Today's changes to the NSPS do not affect the information collection burden estimates made previously. The information that is required to be collected for this facility specific NO_X standard is the same as for all other affected facilities subject to these NSPS. Therefore, the ICR has not been revised.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The RFA specifically requires the completion of a Regulatory Flexibility Analysis in those instances where small business impacts are possible. Because this rulemaking imposes no adverse economic impacts, a Regulatory Flexibility Analysis has not been prepared.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this rule will not have a significant economic impact on a substantial number of small business entities.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control.

Dated: March 22, 1996.

Carol M. Browner,

Administrator.

Title 40, chapter I, part 60, of the Code of Federal Regulations is amended to read as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart Db—Standards of Performance for Industrial Commercial-Institutional Steam Generating Units

1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401, 7411, 7414, 7416, 7429, and 7601.

2. Section 60.49b is amended by adding paragraph (s) as follows:

§ 60.49b Reporting and recordkeeping requirements.

* * * * *

(s) Facility specific nitrogen oxides standard for Cytec Industries Fortier Plant's C.AOG incinerator located in Westwego, Louisiana:

(1) Definitions.

Oxidation zone is defined as the portion of the C.AOG incinerator that extends from the inlet of the oxidizing zone combustion air to the outlet gas stack.

Reducing zone is defined as the portion of the C.AOG incinerator that extends from the burner section to the inlet of the oxidizing zone combustion air.

Total inlet air is defined as the total amount of air introduced into the C.AOG incinerator for combustion of natural gas and chemical by-product waste and is equal to the sum of the air flow into the reducing zone and the air flow into the oxidation zone.

(2) Standard for nitrogen oxides.

(i) When fossil fuel alone is combusted, the nitrogen oxides emission limit for fossil fuel in § 60.44b(a) applies.

(ii) When natural gas and chemical by-product waste are simultaneously combusted, the nitrogen oxides emission limit is 289 ng/J (0.67 lb/million Btu) and a maximum of 81 percent of the total inlet air provided for combustion shall be provided to the reducing zone of the C.AOG incinerator.

(3) Emission monitoring.

(i) The percent of total inlet air provided to the reducing zone shall be determined at least every 15 minutes by measuring the air flow of all the air entering the reducing zone and the air flow of all the air entering the oxidation zone, and compliance with the percentage of total inlet air that is provided to the reducing zone shall be determined on a 3-hour average basis.

(ii) The nitrogen oxides emission limit shall be determined by the compliance and performance test methods and procedures for nitrogen oxides in § 60.46b.

(iii) The monitoring of the nitrogen oxides emission limit shall be performed in accordance with § 60.48b.

(4) Reporting and recordkeeping requirements.

(i) The owner or operator of the C.AOG incinerator shall submit a report on any excursions from the limits required by paragraph (a)(2) of this section to the Administrator with the quarterly report required by § 60.49b(i).

(ii) The owner or operator of the C.AOG incinerator shall keep records of the monitoring required by paragraph (a)(3) of this section for a period of 2 years following the date of such record.

(iii) The owner of operator of the C.AOG incinerator shall perform all the applicable reporting and recordkeeping requirements of § 60.49b.

* * * * *

[FR Doc. 96–7746 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 110

[FRL-5449-6]

Oil Discharge Program; Editorial Revision of Rules; Correction

AGENCY: Environmental Protection Agency.

ACTION: Correction to final regulations.

SUMMARY: This document contains a correction to the final regulations which were published Wednesday, February 28, 1996 (61 FR 7419). The regulations contained nonsubstantive, editorial revisions to 40 CFR part 110.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Hugo Paul Fleischman, Office of Emergency and Remedial Response, U.S. Environmental Protection Agency, 401 M St., SW, Washington, DC 20460, mail code 5203G, phone (703)603–8769; or the RCRA/Superfund Hotline, phone (800)424–9346 or (703)603–9232 in the Washington, DC, metropolitan area.

SUPPLEMENTARY INFORMATION

Background

In the rulemaking, EPA reviewed 40 CFR part 110, and removed text which unnecessarily repeats section 311 of the Act. EPA also revised regulatory text: to make it more concise, to conform more closely to statutory language, or to eliminate text which is legally obsolete. All of these changes were editorial. None effected any changes to the substance of the revised rules. EPA also redesignated affected sections as necessary.

Need for Correction

As published, the final rule contained an incorrect phone number, which could mislead the public and is therefore in need of correction.

Correction of Publication

Accordingly, the publication on February 28, 1996, of the final rule described above, is corrected as follows:

§ 110.6 [Corrected]

Paragraph 1. On page 7421, in the third column, in § 110.6 Notice, in the last line (line nine) of the indented paragraph, the phone number, ''202–462–2675,'' is corrected to read ''202–426–2675.''

Dated: March 22, 1996.

Stephen D. Luftig,

Director, Office of Emergency and Remedial Response.

[FR Doc. 96–7751 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–C

FEDERAL MARITIME COMMISSION

46 CFR Part 501

The Federal Maritime Commission—General

AGENCY: Federal Maritime Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Maritime Commission is correcting its recent document which amended its statement of delegations of authorities to add new authority delegated to the Director of the Bureau of Economics and Agreement Analysis to grant or deny applications for waivers of certain regulations in 46 CFR Part 572.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Joseph C. Polking, Secretary, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, DC 20573–0001, (202) 523–5725.

SUPPLEMENTARY INFORMATION: In the Commission's Final Rule in this matter, published March 12, 1996 (61 FR 9944), amendatory instruction 2 is corrected to read:

''In section 501.26, paragraph (f) is amended by changing the reference to ''572.404'' to ''572.406,'' and by changing the references to ''572.501 and 572.502'' to ''572.404 and 572.405'' paragraphs (g) through (n) are redesignated (i) through (p); newly redesignated (i)(6) is removed; the references to ''paragraph (g) of this section'' in newly redesignated paragraphs (j) and (k) are revised to read ''paragraph (i) of this section;'' and new paragraphs (g) and (h) are added, as follows:''

Joseph C. Polking,

Secretary.

[FR Doc. 96–7692 Filed 3–28–96; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95–78; RM–8619, RM–8678]

Radio Broadcasting Services; Stonewall, MS, and Lisman, AL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Stonewall Broadcasters, allots Channel 295A to Stonewall, Mississippi, as the community's first local FM service. *See* 60 FR 31277, June 14, 1995. At the request of Lisman Community Broadcasting Company, Inc., the Commission allots Channel 299A to Lisman, Alabama, as the community's first local FM service. Channels 295A and 299A can be allotted to Stonewall and Lisman, respectively, in compliance with the Commission's minimum distance separation requirements. Channel 295A can be allotted to Stonewall with a site restriction of 14.1 kilometers (8.7 miles) northeast to avoid a short-spacing with Station WSTZ(FM), Channel 294C, Vicksburg, Mississippi. Channel 299A can be allotted to Lisman without the imposition of a site restriction. The coordinates for Channel 295A at Stonewall, Mississippi, are 32–11–37 and 88–39–48. The coordinates for Lisman, Alabama, are 32–10–07 and 88–16–57. With this action, this proceeding is terminated.

DATES: Effective May 10, 1996. The window period for filing applications will open on May 10, 1996, and close on June 10, 1996.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order,* MM Docket No. 95–78, adopted March 15, 1996, and released March 26, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Mississippi and Alabama, is amended by adding Stonewall, Channel 295A and by adding Lisman, Channel 299A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96–7623 Filed 3–28–96; 8:45 am]

BILLING CODE 6712–01–F

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 501, 504, 511, 512, 515 and 552

[APD 2800.12A CHGE 70]

RIN 3090–AF86

General Services Administration Acquisition Regulation; Acquisition of Commercial Items

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Interim rule with request for comments; correction.

SUMMARY: This document corrects editorial errors in the interim rule, published in the Federal Register on February 16, 1996 (61 FR 6164).

EFFECTIVE DATE: March 4, 1996.

FOR FURTHER INFORMATION CONTACT: Les Davison, GSA Acquisition Policy Division, (202) 501–1224.

SUPPLEMENTARY INFORMATION: In FR document 96–3593, beginning on page 6164, in the issue of February 16, 1996, make the following corrections:

1. Authority: 40 U.S.C. 486(c).

501.105 [Corrected]

2. On page 6164, item No. 2 at the bottom of column 3 is corrected to read as follows:

2. Section 501.105 is amended by revising the following GSAR references to read as follows:

510.004–70 is redesignated as 511.170(b)(3), 510.011(i) is redesignated as 511.204(g), 512.104(a)(2) is redesignated as 511.404(a)(2) and 512.104(a)(4) is redesignated as 511.404(a)(5).

3. On page 6165, item No. 3 at the top of column 1 is corrected to read as follows:

3. Section 504.803 is amended in the first sentence of paragraph (a) by removing ''(28)'' and inserting ''(27)'' and by revising paragraphs (a)(12) and (a)(25) to read as follows:

4. On page 6165, column 1, ''PART 10—MARKET RESEARCH'' is corrected to read ''PART 510—MARKET RESEARCH.''

511.404 [Corrected]

5. On page 6166, column 2, in section 511.404(a)(3) is corrected by removing the last sentence and inserting in its place two sentences to read as follows:

* * * For items having a limited shelf-life, Alternate I to 48 CFR 552.211–79 must be substituted for the basic clause when required by the director of the FSS commodity center concerned. The Age on Delivery clause at 48 CFR 552.211–80 should be used when the required shelf life period is more than 12 months, or when source inspection can be performed within a short time period.

515.804–6 [Corrected]

6. On page 6168, column 2, the second line in paragraph (b)(5) of the ''Commercial Sales Practices'' format, ''paragraph (b) (1) through (4)'' is corrected to read ''paragraphs (1) through (4)''.

7. On page 6170, in item 48, ''52.211–82'' is corrected to ''552.211–82.''

Dated: March 20, 1996.

Ida M. Ustad,

Deputy Associate Administrator for Acquisition Policy.

[FR Doc. 96–7515 Filed 3–28–96; 8:45 am]

BILLING CODE 6820–61–M

Proposed Rules

Federal Register

Vol. 61, No. 62

Friday, March 29, 1996

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–31–AD]

Airworthiness Directives; Boeing Model 727 and Model 737 Series Airplanes Equipped With J.C. Carter Company Fuel Valve Actuators

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 727 and Model 737 series airplanes. This proposal would require replacement of the actuator of the engine fuel shutoff valve and the fuel system crossfeed valve with an improved actuator. This proposal is prompted by a report indicating that, during laboratory tests, the actuator clutch on the engine shutoff and crossfeed valves slipped at cold temperatures due to improper functioning. The actions specified by the proposed AD are intended to prevent improper functioning of these actuators, which could result in a fuel imbalance due to the inability of the flightcrew to crossfeed fuel; improperly functioning actuators could also prevent the pilot from shutting off the fuel to the engine following an engine failure and/or fire.

DATES: Comments must be received by May 6, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–31–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from J.C. Carter Company Inc., Aerospace Components and Repair Service, 673 W. 17th Street, Costa Mesa, California 92627–3605. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Stephen S. Bray, Aerospace Engineer, Propulsion Branch, ANM–140S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2681; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–31–AD.'' The postcard will be date stamped and returned to the commenter. Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–31–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On July 7, 1995, the FAA issued AD 95–15–06, amendment 39–9309 (60 FR 37811, July 24, 1995), applicable to certain Boeing Model 727 and Model 737 series airplanes, to require replacement of the actuator of the engine fuel shutoff valve and the fuel system crossfeed valve with an improved actuator. That action was prompted by reports indicating that, during laboratory tests on Model 737 series airplanes, the actuator clutch on the engine shutoff and crossfeed valves slipped at cold temperatures due to improper functioning. The requirements of that AD are intended to prevent improper functioning of these actuators, which could result in a fuel imbalance due to the inability of the flightcrew to crossfeed fuel; improperly functioning actuators could also prevent the pilot from shutting off the fuel to the engine following an engine failure and/or fire.

Since issuance of that AD, the FAA has received a report indicating that an additional fuel valve actuator having part number (P/N) 40574–5 (Kearfott Model 3715–9) installed on certain Model 727 and Model 737 series airplanes is also subject to the same failure. Therefore, the FAA has determined that this additional actuator is subject to the same unsafe condition addressed in AD 95–15–06.

The FAA has reviewed and approved J.C. Carter Company Service Bulletin 61163–28–09, dated September 28, 1995. The service bulletin describes procedures for replacement of actuators having P/N 40574–5 (Kearfott Model 3715–9) and P/N 40574–2 (Kearfott Model 3715–7 and 3715–8) on the fuel system crossfeed valve and the engine shutoff valves. These actuators are replaced with new actuators having P/N 40574–4; or with actuators having P/N 40574–2 (Kearfott Model 3715–7) with nameplates indicating that they were manufactured by General Design, Midland Ross, Janitrol Aero Division, or FL Aerospace/General Design (except FL Aerospace/General Design serial numbers 0001 through 0200, inclusive).

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require replacement of the actuator having P/N 40574–5 (Kearfott Model 3715–9) on the fuel system crossfeed valve and the engine shutoff valves either with a new actuator having P/N 40574–4, or with an actuator having P/N 40574–2 and an appropriate nameplate. The actions would be required to be accomplished in accordance with the service bulletin described previously.

Operators should note that, although the service bulletin specifies replacement of actuators having P/N 40574–5 (Kearfott Model 3715–9) and P/N 40574–2 (Kearfott Model 3715–7 and 3715–8), this proposed AD would require replacement of only P/N 40574–5. Actuators having P/N 40574–2 currently are required to be replaced in accordance with AD 95–15–06.

[Note: The FAA's normal policy is that when an AD requires a substantive change, such as a change (expansion) in its applicability, the ''old'' AD is superseded by removing it from the system and a new AD is added. In the case of this AD action, the FAA normally would have proposed superseding AD 95–15–06 to expand its applicability to include the J.C. Carter Company fuel valve actuator having P/N 40574–5 as an additional affected actuator. However, in reconsideration of the entire fleet size that would be affected by a supersedure action, and the consequent workload associated with revising maintenance record entries, the FAA has determined that a less burdensome approach is to issue a separate AD applicable only to the additional actuator. This AD does not supersede AD 95–15–06; airplanes listed in the applicability of AD 95–15–06 are required to continue to comply with the requirements of that AD. This proposed AD is a separate AD action, and is applicable only to airplanes equipped with J.C. Carter Company fuel valve actuator having P/N 40574–5.]

There are approximately 4,137 Boeing Model 727 and Model 737 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 2,190 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts would be supplied by J.C. Carter Company at no cost to operators. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $394,200, or $180 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Docket 96–NM–31–AD.

Applicability: All Model 727 and Model 737 series airplanes; equipped with J.C. Carter Company fuel valve actuator having part number (P/N) 40574–5; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent improper functioning of a certain actuator, which could result in a fuel imbalance due to the inability of the flightcrew to crossfeed fuel, or which could prevent the pilot from shutting off the fuel to the engine following an engine failure and/or fire, accomplish the following:

(a) Within 36 months after the effective date of this AD, replace the actuator having P/N 40574–5 (Kearfott Model 3715–9) on the fuel system crossfeed valve and the engine shutoff valves with either a new actuator having P/N 40574–4, or an actuator having P/N 40574–2 with a nameplate identified in paragraph III, Material of J.C. Carter Company Service Bulletin 61163–28–09, dated September 28, 1995. The replacement shall be done in accordance with J.C. Carter Company Service Bulletin 61163–28–09, dated September 28, 1995.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on March 25, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–7663 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Employment Standards Administration; Wage and Hour Division

29 CFR Part 500

RIN 1215–AA93

Migrant and Seasonal Agricultural Worker Protection Act

AGENCY: Wage and Hour Division, Employment Standards Administration, Labor.

ACTION: Notice of proposed rulemaking, request for comments.

SUMMARY: This document proposes regulations to amend the definition of

''employ'' under the Migrant and Seasonal Agricultural Worker Protection Act (MSPA). Consistent with Executive Order 12866, which concerns regulatory planning and review (see 58 Fed. Reg. 51735 (Oct. 4, 1993)), this document proposes to amend MSPA regulations to clarify and make easier to understand the definition of ''independent contractor'' and ''joint employment'' under MSPA, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty and to better guide the Department's enforcement activities.

DATES: Comments on the proposed rule are due on or before June 12, 1996.

ADDRESSES: Submit written comments to Maria Echaveste, Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S–3502, 200 Constitution Avenue, NW., Washington, DC 20210. Commenters who wish to receive notification of receipt of comments are requested to include a self-addressed, stamped post card or to submit them by certified mail, return receipt requested. As a convenience to commenters, comments may be transmitted by facsimile (''FAX'') machine to (202) 219–5122. This is not a toll-free number. If transmitted by FAX and a hard copy is also submitted by mail, please indicate on the hard copy that it is a duplicate copy of the FAX transmission.

FOR FURTHER INFORMATION CONTACT: Michael Hancock, Office of Enforcement Policy, Farm Labor Team, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Room S–3510, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 219–7605. This is not a toll-free number. Copies of this NPRM in alternative formats may be obtained by calling (202) 219–7605, (202) 219–4634 (TDD). The alternative formats available are large print, electronic file on computer disk and audio-tape.

SUPPLEMENTARY INFORMATION:

I. Paperwork Reduction Act of 1995

This proposed rule contains no reporting or recordkeeping requirements subject to the Paperwork Reduction Act of 1995 (Pub. L. 104–13).

II. Background

The MSPA definition of ''joint employment,'' 29 CFR 500.20(h)(4), is proposed to be amended to clarify and provide more accurate and complete information to the regulated community, thereby making the MSPA regulations more ''user-friendly.'' The proposed regulation comports more fully with (1) the Fair Labor Standards Act (FLSA) regulations at 29 CFR 791; (2) seminal court decisions regarding the employment relationship; and (3) the MSPA legislative history.

The MSPA statutory definition of ''employ'', 29 U.S.C. 1803(3)(5), from which the concept of ''joint employment'' is drawn, is the FLSA statutory definition of ''employ'', 29 U.S.C. 203(g), incorporated by reference. In keeping with the President's executive order directive to Federal agencies to identify rules that could be clarified to provide more complete and understandable guidance to the regulated community, the Department proposes to amend the MSPA ''joint employment'' regulation. The Department has notified the public and the regulated community of its intention, through the regulatory agenda and regulatory planning process, to amend this regulation. See 60 Fed. Reg. 23546 (May 8, 1995) and 60 Fed. Reg. 59614 (Nov. 28, 1995).

III. Summary and Discussion

Joint Employment Standard Under MSPA

The Department proposes to amend the MSPA regulation defining the employment and joint-employment relationship in agriculture. Having reviewed this regulation in the normal course of DOL operations, the Department recognizes the need for a clearer and more complete regulation setting forth the applicable criteria, thereby making the regulation more ''user-friendly.'' The purpose of the amendment is to clarify the regulation and, thus, to avoid confusion and misapplication of the standards to be considered in determining the existence of the employment and joint-employment relationship. A further purpose is to update the regulation to reflect more completely the Congressional intent in the enactment of MSPA, the state of the law, and the Department's understanding of the employment and joint employment standard.

The Department has intended for some time to up-date and clarify this MSPA regulation. The matter has been included in the DOL regulatory agendas published in the Federal Register (60 FR 23546 (May 8, 1995); 60 FR 59614 (November 28, 1995)). The present proposed rulemaking undertakes the previously announced revision of the employment and joint employment definition.

The current MSPA ''joint employment'' regulation identifies particular factors which should be considered in determining the existence of such relationships in the agricultural context. This Departmental guidance appears to be subject to some misunderstanding in the regulated community and the courts with regard to the applicability of the legal standards under MSPA and the Fair Labor Standards Act, which contain the identical statutory standard.[1] It is the Department's view that the MSPA ''joint employment'' regulation should be modified to focus more closely on the ultimate test for employment and joint employment as established by the federal courts, i.e., ''economic dependence,'' and to further clarify the multi-factor analysis to be used to determine the existence of ''economic dependence'' in the agricultural context. Such a clarified regulation will ensure more consistent application of the FLSA principles of employment and ''joint employment'' under MSPA, and will also ensure the full implementation of the Congressional intent in adopting those principles in MSPA.

Legislative and Judicial Basis for ''Joint Employment''

The FLSA defines the term *employ* as meaning ''to suffer or permit to work'' (29 U.S.C. 203(g)), and the courts have given an expansive interpretation to the statutory definition of *employ* under the FLSA in order to accomplish the remedial purposes of the Act.[2] In accordance with the FLSA's broad definitions and remedial purposes, the traditional common law ''right to control'' test has been rejected in interpreting the FLSA definition of *employ*. Instead, the test of an employment relationship under the FLSA is ''economic dependence,'' which requires an examination of the relationships among the employee and the putative employer(s) to determine upon whom the employee is economically dependent.[3] The determination of economic dependence is based upon the ''economic reality'' of all the circumstances and not upon isolated factors or contractual labels.[4] Since the ''economic reality'' test first delineated by the Supreme Court in *Rutherford Food*, the courts have uniformly considered a number of factors, no one of which is

[1] *Compare*: *Hodgson v. Griffin & Brand of McAllen, Inc.*, 471 F.2d 235 (5th Cir.), *cert. denied*, 414 U.S. 819 (1973), *with Aimable v. Long and Scott Farms*, 20 F.3d 434 (11th Cir.), *cert. denied*, 115 S.Ct. 351 (1994).

[2] *See Rutherford Food Corp. v. McComb*, 331 U.S. 722, 729 (1947).

[3] *See Real v. Driscoll Strawberry Assoc., Inc.*, 603 F.2d 748 (9th Cir. 1979); *Griffin & Brand, supra*.

[4] *Rutherford Food; Griffin & Brand, supra*.

determinative. Instead, the multi-factor analysis is a means of gauging whether the worker is economically dependent on the business(es) for which the worker is ''suffered or permitted to work'' and whether the nature and degree of that dependence constitutes an employment relationship within the intended protections of the FLSA.

The joint employment doctrine, which has long been recognized under the FLSA case law,[5] is defined by the FLSA regulation to mean a condition in which ''[a] single individual stands in the relation of an employee to two or more persons at the same time'' (29 CFR 791.2(a)). A joint employment relation is found when ''employment by one employer is not completely disassociated from employment by the other employer,'' such a determination depending upon ''all the facts in the particular case.'' *Id.*

Under MSPA, the term *employ* has the same meaning as that term under the FLSA. 29 U.S.C. 1802(5). Congress enacted this express incorporation of the FLSA definition of *employ* with the deliberate intention of adopting the FLSA case law defining employment and joint employment. Congress specifically stated that the ''joint employer doctrine'' articulated under the FLSA was to serve as the ''central foundation'' of the MSPA and ''the best means by which to ensure that the purposes of this Act would be fulfilled.'' [6] Congress intended the joint employer doctrine to serve as a vehicle for protecting agricultural employees ''by fixing the responsibility on those who ultimately benefit from their labors—the agricultural employer.'' [7] In declaring this purpose, Congress cited with approval the joint employment analysis utilized by the Court of Appeals in *Griffin & Brand;* thus, that decision should be the benchmark for the analysis in the agricultural setting.[8] The multi-factor test, as stated in *Griffin & Brand,* is largely the same as the Supreme Court's seminal decision in *Rutherford Food,* although the Court of Appeals restated some factors to comport more fully and realistically with the unique characteristics of an agricultural operation.

The current MSPA regulation, promulgated in 1983, sets out a non-exclusive list of factors which could appropriately be considered in the joint employment analysis. 29 CFR 500.20(h)(4)(ii). The regulation states that the ''. . . determination of whether the employment is to be considered joint employment depends upon all the facts in the particular case.'' 29 CFR 500.20(h)(4)(i). The factors identified in the regulation were not intended by the Department to be a checklist for determining a joint employment relationship; nor were the factors intended to be given greater weight than other relevant factors presented in a particular case or developed in the case law. To the extent that courts and the regulated community may have strayed from the ''economic reality''/''economic dependence'' analysis by applying the regulation as a rigid checklist, or treating the regulation as an exclusive list which precludes consideration of additional factors (*e.g.,* whether workers' activities are an integral part of the putative employer's operation), or distorting or placing undue emphasis on particular factors (*e.g.,* ''control'' misconstrued as being direct supervision of workers' activities), the regulation is not only misinterpreted but is also being applied so as to frustrate the express intention of Congress in enacting MSPA.

Proposed ''Joint Employer'' Rule

In order to resolve any confusion or misunderstanding of the current MSPA regulation and to provide clearer and more complete guidance to the regulated community, the regulation is proposed to be amended to better delineate the appropriate analysis of the employment and joint employment relationships using ''economic dependence'' as the touchstone, as contemplated by Congress when MSPA was enacted. The proposed regulation also addresses the crucial, initial issue of whether a farm labor contractor (FLC) is a bona fide independent contractor or an employee of the agricultural association or agricultural employer; where an FLC is actually an employee of the agricultural employer or association, any worker employed by the FLC is necessarily also an employee of the FLC's employer. The proposed regulation more clearly enunciates the proper test for joint employment, as prescribed in the legislative history and set forth in the case law that has properly focused on economic reality and economic dependence. Further, the regulation will provide needed guidance on ''control,'' clarifying that the inquiry is as to the putative employer's power or right to exercise authority in the workplace, either directly or indirectly; the actual exercise of such power or authority is not necessary. The regulation would be further clarified, in that the illustrative list of factors eliminates redundancy (*e.g.,* items in the current regulation dealing with aspects of control are consolidated) and provides more complete guidance as to appropriate consideration of factors. Comments are requested concerning the factors listed, in particular whether or not additional factors should be included in the illustrative list of factors.

Executive Order 12866/Section 202 of the Unfunded Mandates Reform Act of 1995

This proposed rule is not ''economically significant'' within the meaning of Executive Order 12866, nor does it require a § 202 statement under the Unfunded Mandates Reform Act of 1995. However, because the rule may raise novel legal or policy issues arising out of legal mandates, it has been determined by OMB to be a ''significant regulatory action'' within the meaning of § 3(f)(4) of Executive Order 12866. The proposed rule proposes to amend the MSPA regulations to clarify the concepts of *employ, employer, employee,* and *joint employment.* No economic analysis is required because the rule will not have a significant economic impact.

Regulatory Flexibility Analysis

This proposed rule will not have a significant economic impact on a substantial number of small entities. The Department has certified to this effect to the Chief Counsel for Advocacy of the Small Business Administration. The proposed rule contains language which is intended to clarify what is meant by the terms *employ, employer, employment,* and *joint employment* under MSPA.

Document Preparation

This document was prepared under the direction and control of Maria Echaveste, Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

List of Subjects in 29 CFR Part 500

Agricultural employers, Agricultural associations, Agricultural worker, Employ, Employee, Employer, Farm labor contractor, Independent Contractor, Joint Employment, Migrant agricultural workers, Migrant labor, Seasonal agricultural workers.

[5] *Griffin & Brand, supra.*

[6] H. Rep. No. 97–885, 97th Cong. 2d sess. pp. 6–7 [''Rept.''].

[7] 128 Cong. Rec. H26008 (Sept. 1982).

[8] Rept. 7.

Signed at Washington, D.C., on this 26th day of March, 1996.

John R. Fraser,

Deputy Administrator, Wage and Hour Division.

For the reasons set forth above, 29 CFR part 500 is proposed to be amended as set forth below:

PART 500—MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION

1. The authority citation for Part 500 is revised to read as follows:

Authority: Pub. L. 97–470, 96 Stat. 2583 (29 U.S.C. 1801–1872); Secretary's Order No. 6–84, 49 FR 32473.

2. In § 500.20, paragraph (h)(4) is revised and paragraph (h)(5) is added to read as follows:

§ 500.20 Definitions.

* * * * *

(h) * * *

(4) The definition of the term *employ* may include consideration of whether or not an *independent contractor* or *employment* relationship exists under the Fair Labor Standards Act. Under MSPA, questions will arise whether or not the farm labor contractor engaged by the agricultural employer/association is a bona fide independent contractor or an employee. Questions also arise whether or not the worker is a bona fide independent contractor or an employee of the farm labor contractor and/or the agricultural employer/association. These questions should be resolved in accordance with the factors set out below and the principles articulated by the federal courts in *Rutherford Food Corp.v. McComb,* 331 U.S. 722 (1947), *Real v. Driscoll Strawberry Assoc., Inc.,* 603 F.2d 748 (9th Cir. 1979), and *Sec'y of Labor, U.S. Dept. of Labor v. Lauritzen,* 835 F.2d 1529 (7th Cir. 1987). If it is determined that the farm labor contractor is an *employee* of the agricultural employer/association, the agricultural workers in the farm labor contractor's crew who perform work for the agricultural employer/association are deemed to be employees of the agricultural employer/association and an inquiry into joint employment is not necessary or appropriate. In determining if the worker or farm labor contractor is an employee or an independent contractor, the ultimate question is the economic reality of the relationship—whether there is economic dependence upon the farm labor contractor or agricultural employer/association, as appropriate. This determination is based upon an evaluation of all of the circumstances, including the following:

(i) The nature and degree of the putative employer's control as to the manner in which the work is performed;

(ii) The putative employee's opportunity for profit or loss depending upon his managerial skill;

(iii) The putative employee's investment in equipment or materials required for the task, or the putative employee's employment of other workers;

(iv) Whether the services rendered by the putative employee requires special skill;

(v) The degree of permanency and duration of the working relationship;

(vi) The extent to which the services rendered by the putative employee are an integral part of the putative employer's business.

(5) The definition of the term *employ* includes the *joint employment* principles applicable under the Fair Labor Standards Act. The term *joint employment* means a condition in which a single individual stands in the relation of an employee to two or more persons at the same time. A determination of whether the employment is to be considered joint employment depends upon all the facts in the particular case. If the facts establish that two or more persons are completely disassociated with respect to the employment of a particular employee, a joint employment situation does not exist.

(i) If it is determined that the farm labor contractor is an independent contractor, it still must be determined whether or not the employees of the farm labor contractor are also jointly employed by the agricultural employer/association. *Joint employment* under the Fair Labor Standards Act is joint employment under the MSPA. Such joint employment relationships, which are common in agriculture, have been addressed both in the legislative history and by the courts.

(ii) The legislative history of the Act (H. Rep. No. 97–885, 97th Cong., 2d Sess., 1982) states that the legislative purpose in enacting MSPA was ''to reverse the historical pattern of abuse and exploitation of migrant and seasonal farm workers . . .,'' which would only be accomplished by ''advanc[ing] . . . a completely new approach'' (Rept. at 3). Congress's incorporation of the FLSA term *employ* was undertaken with the deliberate intent of adopting the FLSA *joint employer* doctrine as the ''central foundation'' of MSPA and ''the best means by which to insure that the purposes of this MSPA would be fulfilled'' (Rept. at 6). Further, Congress intended that the *joint employer* test under MSPA be the formulation as set forth in *Hodgson v. Griffin & Brand of McAllen, Inc.* 471 F.2d 235 (5th Cir.), *cert. denied,* 414 U.S. 819 (1973) (Rept. at 7). In endorsing *Griffin & Brand,* Congress stated that this formulation should be controlling in situations ''where an agricultural employer . . . asserts that the agricultural workers in question are the *sole* employees of an independent contractor/crewleader,'' and that the ''decision makes clear that even if a farm labor contractor is found to be a bona fide independent contractor, . . . this status does not as a matter of law negate the possibility that an agricultural employer may be a joint employer . . . of the harvest workers'' together with the farm labor contractor. Further, regarding the joint employer doctrine and the *Griffin & Brand* formulation, Congress stated that ''the absence of evidence on any of the criteria listed does not preclude a finding that an agricultural association or agricultural employer was a joint employer along with the crewleader'', and that ''it is expected that the special aspects of agricultural employment be kept in mind'' when applying the tests and criteria set forth in the case law and legislative history (Rept. at 8).

(iii) In determining whether or not an employment relationship exists between the agricultural employer/association and the agricultural worker, the ultimate question to be determined is the economic reality—whether the worker is so economically dependent upon the agricultural employer/association as to be considered its employee, subject to MSPA protections.

(iv) The factors set forth below are analytical tools to be used in determining the ultimate question of economic dependency. The factors are not to be applied as a checklist. They are illustrative only and are not intended to be exhaustive; other factors may be considered, depending upon the specific circumstances of the relationship among the parties. No one factor is critical to the analysis; nor must a majority of the factors be found for an employment relationship to exist. Rather, how the factors are weighed depends upon all of the facts and circumstances. Among the factors to be considered in determining whether or not an employment relationship exists are:

(A) Whether the agricultural employer/association has the power, either alone or through control of the farm labor contractor to direct, control, or supervise the worker(s) or the work performed (such control may be either direct or indirect, and may be either exercised or unexercised, taking into account the nature of the work performed);

(B) Whether the agricultural employer/association has the power, either alone or in addition to another employer, directly or indirectly, to hire or fire, modify the employment conditions, or determine the pay rates or the methods of wage payment for the worker(s);

(C) Whether the agricultural employer/association supplies housing, transportation, tools and equipment or materials required for the job;

(D) The degree of permanency and duration of the relationship of the parties, in the context of the agricultural activity at issue;

(E) The extent to which the services rendered by the workers are repetitive, rote tasks requiring skills which are acquired with relatively little training;

(F) Whether the activities performed by the worker are an integral part of the overall business operation of the agricultural employer/association;

(G) Whether the work is performed on the agricultural employer/association's premises or on the premises owned or controlled by another business entity;

(H) Whether the agricultural employer/association undertakes responsibilities in relation to the worker which are normally performed by employers, such as maintaining payroll records, preparing and/or issuing pay checks, paying FICA taxes, providing workers' compensation insurance, or providing field sanitation facilities; and

(I) Other facts bearing on economic dependency.

* * * * *

[FR Doc. 96–7818 Filed 3–28–96; 8:45 am]

BILLING CODE 4510–27–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

[SPATS No. IL–092–FOR]

Illinois Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Illinois regulatory program (hereinafter the ''Illinois program'') under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of the revision of four sections and the addition of one section to Title 62 of the Illinois Administrative Code (IAC) regulations pertaining to self-bonding. The amendment is intended to revise the Illinois program to be consistent with the corresponding Federal regulations.

DATES: Written comments must be received by 4 p.m., e.s.t., April 29, 1996. If requested, a public hearing on the proposed amendment will be held on April 25, 1996. Requests to speak at the hearing must be received by 4 p.m., e.s.t. on April 15, 1995.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Roger W. Calhoun, Director, Indianapolis Field Office, at the address listed below.

Copies of the Illinois program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Indianapolis Field Office.

Roger W. Calhoun, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, IN 46204, Telephone: (317) 226–6700.

Illinois Department of Natural Resources, Office of Mines and Minerals, 524 South Second Street, Springfield, IL 62701–1787, Telephone (217) 782–4970.

FOR FURTHER INFORMATION CONTACT:

Roger W. Calhoun, Director, Indianapolis Field Office, Telephone: (317) 226–6700.

SUPPLEMENTARY INFORMATION:

I. Background on the Illinois Program

On June 1, 1982, the Secretary of the Interior conditionally approved the Illinois program. Background information on the Illinois program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the June 1, 1982, Federal Register (47 FR 23883). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 913.15, 913.16, and 913.17.

II. Description of the Proposed Amendment

By letter dated March 4, 1996 (Administrative Record No. IL–1800), Illinois submitted a proposed amendment to its program pursuant to SMCRA. Illinois submitted the proposed amendment at its own initiative. Illinois proposed to revise 62 IAC 1800.4, Department responsibilities; 62 IAC 1800.5, Definitions; 62 IAC 1800.11, Requirement to file a bond; and 62 IAC 1800.12, Form of the performance bond. Illinois also proposed to add 62 IAC 1800.23, Self-bonding.

1. 62 IAC 1800.4 Department Responsibilities

Illinois proposes to revise § 1800.4 by adding new subsection (c) that authorizes the acceptance of a self-bond if the permittee meets the requirements of 62 IAC 1800.23. Existing subsections (c) through (e) are proposed to be redesignated (d) through (f).

2. 62 IAC 1800.5 Definitions

Illinois proposes to revise § 1800.5 by adding a definition for the term ''self-bonding'' at new subsection (c) that reads as follows:

Self-bonding means an indemnity agreement in a sum certain executed by the applicant or by the applicant and any corporate guarantor and made payable to the Department, with or without separate surety.

3. 62 IAC 1800.11 Requirement to File a Bond

Illinois proposes to revise § 1800.11 by adding new subsection (e) that requires self-bonding for eligible permittees be administered consistent with all applicable provisions of 62 IAC 1800.1 through 1800.50.

4. 62 1800.12 Form of the Performance Bond

Illinois proposes to revise § 1800.12 by adding new subsection (c) that identifies a self-bond as form of performance bond allowed by the Illinois program. Existing subsection (c) is proposed to be redesignated subsection (d).

5. 62 IAC 1800.23 Self-Bonding

Illinois proposes to add new § 1800.23 concerning its conditions for acceptance of a self-bond. At subsection (a), Illinois defines the terms to be used in the section: ''current assets''; ''current liabilities''; ''fixed assets''; ''liabilities''; ''net worth''; ''parent corporation''; and ''tangible net worth.'' At subsection (b), Illinois specifies the conditions that must be met before a self-bond would be accepted from the applicant. At subsection (c), Illinois specifies the conditions that must be met for acceptance of a written guarantee for an applicant's self-bond from a parent corporation guarantor or non-parent corporation guarantor. At subsection (d), Illinois specifies that the total amount of the outstanding and proposed self-bonds for either an applicant, parent corporation guarantor, or nonparent corporate guarantor shall not exceed 25 percent of the their tangible net worth in the United States. At subsection (e), Illinois is requiring an indemnity agreement be submitted with specified requirements. At subsection (f), Illinois is requiring submittal of an update of specified information within 90 days after the close of each fiscal year following issuance of the self-bond or corporate guarantee. At subsection (g), Illinois is requiring that if the financial conditions of the applicant, parent or nonparent corporate guarantor change so that specified criteria are not satisfied, the permittee shall notify Illinois immediately and post an alternate form of bond within 90 days.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the Illinois program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Indianapolis Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to speak at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., e.s.t on April 15, 1996. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to speak at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**.

The public hearing will continue on the specified date until all persons scheduled to speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq*.).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*.). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 21, 1996.

Deborah Watford,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 96–7691 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 170

[OPP–250115; FRL–5359–1]

Pesticide Worker Protection Standard, Decontamination Requirements; Notification to the Secretary of Agriculture

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification to the Secretary of Agriculture.

SUMMARY: Notice is given that the Administrator of EPA has forwarded to the Secretary of Agriculture a final regulation under section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The rule reduces the duration that decontamination supplies must be maintained for low toxicity pesticides. This action is required by FIFRA section 25(a)(2).

FOR FURTHER INFORMATION CONTACT: By mail: Linda H. Strauss, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 1121F, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703-308-3240), e-mail: strauss.linda@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 25(a)(2) of FIFRA provides that the Administrator shall provide the Secretary of Agriculture with a copy of any final regulation at least 30 days before signing it for publication in the Federal Register. If the Secretary comments in writing regarding the final regulation within 15 days after receiving it, the Administrator shall issue for publication in the Federal Register, with the final regulation, the comments of the Secretary, if requested by the Secretary, and the response of the Administrator concerning the Secretary's comments. If the Secretary does not comment in writing within 15 days after receiving the final regulation, the Administrator may sign the regulation for publication in the Federal Register anytime thereafter. As required by FIFRA section 25(a)(3), a copy of the final regulation has been forwarded to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

List of Subjects in 40 CFR Part 170

Environmental protection, Administrative practice and procedure, Labeling, Occupational safety and health, Pesticides and pests.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 21, 1996.

Penelope A. Fenner-Crisp

Acting Director, Office of Pesticide Programs.

[FR Doc. 96–7742 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 170

[OPP–250116; FRL–5358–9]

Pesticide Worker Protection, Standard Language and Size Requirement for Warning Sign; Notification to the Secretary of Agriculture

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification to the Secretary of Agriculture.

SUMMARY: Notice is given that the Administrator of EPA has forwarded to the Secretary of Agriculture a final regulation under section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The rule amends the requirements in the worker protection standards for the posting of a warning sign at pesticide use sites. This action is required by FIFRA section 25(a)(2).

FOR FURTHER INFORMATION CONTACT: By mail: John R. MacDonald, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 1121F, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703-305-7370).

SUPPLEMENTARY INFORMATION: Section 25(a)(2) of FIFRA provides that the Administrator shall provide the Secretary of Agriculture with a copy of any final regulation at least 30 days before signing it for publication in the Federal Register. If the Secretary comments in writing regarding the final regulation within 15 days after receiving it, the Administrator shall issue for publication in the Federal Register, with the final regulation, the comments of the Secretary, if requested by the Secretary, and the response of the Administrator concerning the Secretary's comments. If the Secretary does not comment in writing within 15 days after receiving the final regulation, the Administrator may sign the regulation for publication in the Federal Register anytime thereafter. As required by FIFRA section 25(a)(3), a copy of the final regulation has been forwarded to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

List of Subjects in 40 CFR Part 170

Environmental protection, Administrative practice and procedure, Labeling, Occupational safety and health, Pesticides and pests.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 21, 1996.

Penelope A. Fenner-Crisp,

Acting Director, Office of Pesticide Programs.

[FR Doc. 96–7744 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2, 15 and 97

[Docket No. 94–124; RM–8308; FCC 95–499]

Operation Above 40 GHz

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: By this *Second Notice of Proposed Rule Making, (''2nd NPRM''),* the Commission addresses proposals: to restrict amateur usage of the 76–77 GHz band in order to protect vehicle radar systems from interference while also giving amateur operators coprimary status in the 77.5–78 GHz band; to develop a spectrum etiquette technical standard for the 59–64 GHz band to minimize interference within that band; and to further restrict emissions above 200 GHz to protect radio astronomy operations from interference.

DATES: Comments must be submitted on or before May 28, 1996. Reply comments must be submitted on or before June 27, 1996.

ADDRESSES: Comments and reply comments should be sent to the Office of Secretary, Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: John Reed, Office of Engineering and Technology, (202) 418–2455, Richard Engelman, Office of Engineering and Technology, (202) 418–2445, or Michael Marcus, Office of Engineering and Technology, (202) 418–2470, or send an electronic mail message via the Internet to mmwaves@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *2nd NPRM*, ET Docket 94–124, FCC 95–499, adopted December 15, 1995, and released December 15, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 1919 M Street, NW., Room 246 or 2100 M Street, NW., Suite 140, Washington, DC 20037.

Summary of 2nd NPRM

1. *2nd NPRM* addresses several issues relating to use of the 46.7–46.9 GHz, 59–64 GHz, and 76–77 GHz bands. First, we are proposing to amend Part 97 of our rules to restrict temporarily amateur use of the 76–77 GHz band in order to ensure that vehicle radar systems will not receive interference from amateur operations. To balance any perceived harm by amateur operators, we are proposing to upgrade the status of amateur operators in the 77.5–78 GHz band to co-primary with the radiolocation service. We are also proposing limits for emissions in the 200–231 GHz band to protect radio astronomy operations from potential interference. In addition, we are proposing to initiate the development of a spectrum etiquette standard to prevent interference among unlicensed 59–64 GHz devices, analogous to the standards used for unlicensed PCS under Part 15 of our rules, and request specific proposals for such standards. *See* 47 CFR 15.321 and 15.323.

2. The Initial Regulatory Flexibility Analysis (''IRFA'') is contained in the text of the 2nd NPRM. The Commission requests written public comment on the foregoing IRFA. Comments must have a separate and distinct heading designating them as responses to the IRFA and must be filed by the deadlines specified in the summary above.

List of Subjects

47 CFR Part 2

Communications equipment, Radio.

47 CFR Part 15

Communications equipment, Highway safety, Radio.

47 CFR Part 97

Communications equipment, Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96–7688 Filed 3–28–96; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Part 73

[MM Docket No. 96–54; RM–8769]

Radio Broadcasting Services; Ruidoso, NM

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Kellie K. Brown seeking the allotment of Channel 268A to Ruidoso, NM, as the community's third aural and second local FM service. Channel 268A can be allotted to Ruidoso in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 33–20–00 NL; 105–40–54 WL. Mexican concurrence is required since Ruidoso is located within 320 kilometers (199 miles) of the U.S.-Mexican border.

DATES: Comments must be filed on or before May 13, 1996, and reply comments on or before May 28, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Kellie K. Brown, P.O. Box 4396, Ruidoso, NM 88345 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 96–54, adopted March 1, 1996, and released March 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96–7622 Filed 3–28–96; 8:45 am]

BILLING CODE 6712–01–F

47 CFR Part 73

[MM Docket No. 96–50; RM–8768]

Radio Broadcasting Services; Nikiski, AK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by William J. Glynn, Jr., requesting the allotment of FM Channel 227C2 to Nikiski, Alaska, as that community's first local aural transmission service. Coordinates used for this proposal are 60–35–40 and 151–20–00.

DATES: Comments must be filed on or before May 13, 1996, and reply comments on or before May 28, 1996.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: William J. Glynn, Jr., P.O. Box 79, Kasilof, AK 99610.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 96–50, adopted March 5, 1996, and released March 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.
John A. Karousos,
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.
[FR Doc. 96–7621 Filed 3–28–96; 8:45 am]
BILLING CODE 6712–01–F

47 CFR Part 73

[MM Docket No. 96–52; RM–8755]

Radio Broadcasting Services; Princeville, HI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of John Moore dba Moore Broadcasting Company, one of two mutually-exclusive applicants for Channel 255C1 at Princeville, Hawaii, proposing the allotment of Channel 260C1 to Princeville, to resolve the mutual exclusivity while providing a second local FM service to that community. If the channel is allotted with cut-off protection, petitioner also seeks to amend its pending application for Channel 255C1 at Princeville to reflect operation on Channel 260C1. Coordinates used for Channel 260C1 at Princeville are 22–00–00 and 159–22–50.

DATES: Comments must be filed on or before May 13, 1996, and reply comments on or before May 28, 1996.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Cary S. Tepper, Esq., Booth, Freret & Imlay, P.C., 1233 - 20th Street, NW., Suite 204, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 96–52, adopted March 6, 1996, and released March 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.
John A. Karousos,
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.
[FR Doc. 96–7620 Filed 3–28–96; 8:45 am]
BILLING CODE 6712–01–F

47 CFR Part 73

[MM Docket No. 96–51; RM–8764]

Radio Broadcasting Services; Wellington, CO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by Victor A. Michael, Jr., requesting the allotment of FM Channel 232C3 to the incorporated community of Wellington, Colorado, as its first local aural tramsission service. Coordinates used for this proposal are 40–53–57 and 105–01–53.

DATES: Comments must be filed on or before May 13, 1996, and reply comments on or before May 28, 1996.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Victor A. Michael, Jr., 7901 Stoneridge Drive, Cheyenne, WY 82001.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 96–51, adopted March 6, 1996, and released March 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.
John A. Karousos,
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.
[FR Doc. 96–7618 Filed 3–28–96; 8:45 am]
BILLING CODE 6712–01–F

47 CFR Part 73

[MM Docket No. 96–53; RM–8767]

Television Broadcasting Services; Marinette, WI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Douglas A. Maszka d/b/a Tri-City Television Company proposing the allotment of UHF Television Channel 25+ to Marinette, Wisconsin. There is a site restriction 18.6 kilometers (11.6 miles) north of the community at coordinates 45–15–54 and 87–36–51. The proposed allotment of Channel 25+ will require a plus offset. Canadian concurrence will be requested for this allotment.

DATES: Comments must be filed on or before May 13, 1996, and reply comments on or before May 28, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Douglsa A. Maszka, d/b/a Tri-City Television Company, 600 Vroman Street, Green Bay, Wisconsin 54303.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making,* MM Docket No. 96–53, adopted March 6, 1996, and released March 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857–3800.

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96–7619 Filed 3–28–96; 8:45 am]

BILLING CODE 6712–01–F

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Denial of petition for rulemaking.

SUMMARY: This document denies Mr. John Chevedden's petition for rulemaking to require only amber bulbs be sold in the aftermarket for replacement of the front amber turn signal bulbs. NHTSA's analysis of the petition concludes that this action would have a negligible effect on reducing crashes or fatalities, and would have significant cost effects for the redesign of turn signal and stop lamps.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Van Iderstine, Office of Safety Performance Standards, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Mr. Van Iderstine's telephone number is: (202) 366–5275. His facsimile number is (202) 366–4329.

SUPPLEMENTARY INFORMATION: By letter dated November 14, 1995, Mr. John Chevedden of Redondo Beach, California, petitioned the agency to issue a rule that would ''require only amber light bulbs to be sold in the aftermarket for replacement of factory amber front turn signal bulbs.'' Mr. Chevedden stated that this is necessary ''to prevent the aftermarket from nullifying the requirement (since 1963) that front turn signal lamps be amber.'' He states that the use of clear bulbs on vehicles with clear lenses on front turn signal lamps nullifies the amber requirement.

While it is true that front turn signal lamps are required to be amber on new motor vehicles at the time of their delivery to the first user, the requirement may be met by either an amber bulb behind a clear lens, or a clear bulb behind an amber lens. In service, the correct maintenance of that safety equipment is the responsibility of vehicle owners. The installation of incorrect bulbs or replacement lenses represents the failure of the owner to fulfill that responsibility. The responsibility for inspection of and enforcement for properly operating safety equipment belongs to the states, and in the petitioner's case, existing laws in most states require that front turn signal lamps emit amber light.

The clear bulbs, about which the petitioner is concerned, that may be used to replace burned-out amber bulbs in front turn signal lamps with clear lenses, are also used for all existing backup, stop, and rear red turn signal lamps, as well as for other purposes. These bulbs would be banned under the Mr. Chevedden's petition. Ultimately, this would necessitate that new bulbs be designed and marketed that are not interchangeable between lamp functions. This would have cost impacts on new and replacement bulbs as well as on the design of new signal lamps. This also could have significant adverse consequences to safety, because of the inability of vehicle owners to obtain clear replacement bulbs for the ones that will burn out on the 150 million vehicles already in the fleet. Thus, the fleet could have fewer and fewer functional lamps over time, leading to increases in accidents.

Mr. Chevedden did not provide any support for his petition, such as the argument that accidents are occurring as a result of the use of clear turn signal bulbs in lamps with clear lenses. In the absence such support and in light of the adverse consequences that the agency foresees for his solution, the agency sees no basis for rulemaking.

In accordance with 49 CFR part 552, this completes the agency's technical review of the petition. The agency has concluded that there is no reasonable possibility that the amendment requested by the petitioner would be issued at the conclusion of a rulemaking proceeding. After considering all relevant factors, including the need to allocate and prioritize limited agency resources to best accomplish the agency's safety mission, the agency has decided to deny the petition.

Authority: 49 U.S.C. 30103, 30162; delegation of authority at 49 CFR 1.50 and 501.8.

Issued on: March 25, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96–7706 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–59–P

49 CFR Part 571

Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Denial of petition for rulemaking.

SUMMARY: This document denies a petition from the Society of Automotive Engineers (SAE) for rulemaking to incorporate the latest version of SAE Standard J594—*Reflex Reflectors,* into Federal Motor Vehicle Safety Standard (FMVSS) No. 108. NHTSA's analysis of the petition concludes that there is minimal benefit to the public in updating the reference to this SAE standard. While incorporation would make reflex reflector requirements more readily available to lighting and vehicle design engineers as a current reference, it would require considerable expenditures of agency resources to implement it and all the other SAE standards whose references in FMVSS No. 108 are not the most recent. The agency's commitment of its resources to identify its safety priorities precludes

granting this petition. However, the agency will compile a reference document of materials incorporated into Standard No. 108 to improve availability of these materials.

FOR FURTHER INFORMATION CONTACT: Mr. Jere Medlin, Office of Crash Avoidance Standards, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Mr. Medlin's telephone number is: (202) 366–5276. His facsimile number is (202) 366–4329.

SUPPLEMENTARY INFORMATION: By letter dated October 4, 1995, William A. McKinney, Chairman of the Lighting Coordinating Committee of the Society of Automotive Engineers, Inc. (Petitioner) petitioned the agency to incorporate the latest version of SAE J594—*Reflex Reflectors,* into 49 CFR 571.108 (Federal Motor Vehicle Safety Standard No. 108, Lamps, reflective devices and associated equipment). The petitioner claimed the changes in the latest version (J594 JUL95) provide significant improvements in format consistent with the current SAE practice, incorporate information on other SAE publications referenced in the document, include definitions of photometry observation and entrance angles, and provide additional explanations and guidelines for photometry and installation requirements. Petitioner further claimed that these revisions make this new version easier to apply, as well as easier to find because it is located in current SAE Handbooks. Petitioner also claimed that the changes would not adversely affect the costs of any lighting or vehicle manufacturer. No claims about safety or performance were made.

The agency has reviewed what would be required to implement the Petitioner's desired solution. It has found that the tests and many requirements of the new J594 are from or referenced to SAE Recommended Practice J575 JUN92—*Test Methods and Equipment for Lighting Devices and Components for Use on Vehicles Less than 2032 mm in Overall Width.* However, the version of J575 to which FMVSS No. 108 refers is J575e August 1970. It is not found in the current SAE Handbook. The same issue occurs for SAE J578, *Color Specification.* The new SAE J594 refers to the ''current version(s)'', rather than the version required by FMVSS No. 108, which is SAE J578a October 1966.

Therefore, the advantage claimed by Petitioner by referencing to a standard in current SAE handbooks appears to be very small because this action would update only J594, and none of the subreferenced documents. Additionally, because NHTSA reference to SAE standards is not always absolute, in that parts of standards are referenced or exceptions are made to specific requirements in SAE standards where different or more stringent performance is necessary for safety purposes, the value of having the latest version of an SAE document is lessened. Thus, without a careful reading of FMVSS No. 108, a reader of the newest J594 could continue to be misled as to the pertinent requirements, just as with the currently referenced version.

An example of this issue is seen in the Installation Requirements paragraph of J594 JUL95. NHTSA is currently proposing in another rulemaking (60 FR 54833) to amend geometric visibility requirements of signal lamps (installed visibility requirements) that are substantially different from those in J594 JUL95. Should this geometric visibility proposal be adopted, the text of any referenced version of J594 will be superseded. It is unlikely that J594 JUL95, or any version of a referenced industry standard would be wholly usable for more than just a short period of time and probably would be out of print after just five years because of SAE's schedule of periodic updating of its standards. At that time, the value of the rulemaking efforts requested by this petition would be negated by another SAE update.

Allocation of agency resources and agency priorities must be considered in processing what may be the first of many petitions from the SAE to update each of the SAE standards directly referenced in FMVSS No. 108, and potentially more petitions to update the additional SAE standards that are sub-referenced in those SAE standards. All of these mentioned standards have specific dated versions referenced in FMVSS No. 108. Because the SAE endeavors to update its standards on a regular five year schedule, the federal regulatory workload from such a course of updating would be continuous and drain resources from other activities. This is not a desirable course given the agency's shrinking resources. Nonetheless, NHTSA recognizes that the technical expertise found on SAE Committees is invaluable to NHTSA's mission, particularly when performance requirements must be developed to accommodate new technologies. Consequently, NHTSA plans to consider how best to cooperate with the SAE. NHTSA will still be favorably inclined to consider any future SAE request that has significant safety benefits or when such action would remove impediments to the use of new technologies.

To respond to the need expressed by SAE, the agency will compile and provide on request to interested persons, a document containing the desired SAE and other organizations' standards which are referenced and subreferenced in FMVSS No. 108. The immediate effect is to make it easier for all interested persons, especially lighting and vehicle personnel, to have available in one document all the requirements in the Federal lighting standard. The agency recognizes the problem of finding older SAE Standards, and takes this action to solve that problem. It will be updated as required.

In accordance with 49 CFR part 552, this completes the agency's review of the petition. The agency has concluded that there is no reasonable possibility that the specific action requested by the petitioner would be issued at the conclusion of a rulemaking proceeding. Accordingly, it denies the SAE's petition.

Authority: 49 U.S.C. 30103, 30162; delegation of authority at 49 CFR 1.50 and 501.8.

Issued on March 25, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96–7707 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–59–P

Notices

Federal Register

Vol. 61, No. 62

Friday, March 29, 1996

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

[Docket No. 96–016–2]

Declaration of Emergency Because of Karnal Bunt

An exotic fungal disease, Karnal bunt, has been detected in the United States. The disease was detected in Arizona, and potentially contaminated seed was sent to New Mexico and Texas. The disease had not previously been detected in the United States.

Karnal bunt (*Tilletia indica*) is a serious disease of wheat, durum wheat, and triticale, a hybrid of wheat and rye. The disease affects both yield and grain quality. It adversely affects the color, odor, and palatability of flour and other foodstuffs made from wheat. It does not present a risk to human health.

If Karnal bunt is allowed to spread, the overall crop loss and impact on quality may be significant. The disease could affect United States grain exports. The United States is the world's leading wheat exporter, accounting for one-third of the world wheat exports. Wheat exports from the United States were valued at $4.9 billion in Fiscal Year 1995. At least 21 countries are known to regulate or prohibit grain movement on the basis of Karnal bunt.

Control and eradication of Karnal bunt is difficult. Management of the disease is through quarantine and containment of regulated articles. Initial emergency action was taken by the Arizona Department of Agriculture (ADA) and the Animal and Plant Health Inspection Service (APHIS). APHIS and ADA have instituted emergency quarantines on the infected premises and are regulating the movement of seed, farm equipment, and soil associated with the infected wheat.

To conduct a management and eradication program, funds are needed to conduct surveys, and establish regulatory controls and other activities deemed necessary to protect wheat production areas and export markets. APHIS has insufficient funds to meet the needs of the proposed program. Once funded, APHIS can continue management programs in Arizona, New Mexico, and Texas, and regulate areas that have received infected seed, soil, and equipment to prevent further spread. Delimiting surveys are planned to determine the extent of the infection. A national survey of grain elevators and a survey of grain export elevators is planned to verify Karnal bunt-free areas and to ensure continuation of exports.

Therefore, in accordance with the provisions of the Act of September 25, 1981, 95 Stat. 953 (7 U.S.C. 147b), I declare that there is an emergency which threatens the wheat, durum wheat, and triticale crops of this country, and I authorize the transfer and use of such sums as may be necessary from appropriations or other funds available to agencies or corporations of the Department of Agriculture for the conduct of a program to detect and identify Karnal bunt infested areas, and to control and prevent the spread of Karnal bunt to noninfested areas in the United States, and to eradicate Karnal bunt wherever it may be found in the United States.

Effective Date: This declaration of emergency shall become effective March 26, 1996.

Dan Glickman,

Secretary of Agriculture.

[FR Doc. 96–7737 Filed 3–28–96; 8:45 am]

BILLING CODE 3410–34–P

Agricultural Research Service

Notice of Intent To Grant Exclusive License

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the United States Department of Agriculture, Agricultural Research Service, intends to grant to Peterson Seed Company, Inc., of Savage, Minnesota, an exclusive license for ARS–2620, a new plant variety entitled ''Rhizomatous Birdsfoot Trefoil.'' Notice of Availability for this new plant variety, for which Plant Variety Protection is pending, was published in the Federal Register on October 17, 1995.

DATES: Comments must be received on or before May 28, 1996.

ADDRESSES: Send comments to: USDA–ARS–Office of Technology Transfer, Beltsville Agricultural Research Center, Baltimore Boulevard, Building 005, Room 416, BARC–W, Beltsville, Maryland 20705–2350.

FOR FURTHER INFORMATION CONTACT: Andrew Watkins of the Office of Technology Transfer at the Beltsville address given above; telephone: 301/504–6786.

SUPPLEMENTARY INFORMATION: The Federal Government's plant variety protection rights to this variety are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention, for the Peterson Seed Company, Inc., has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 USC 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within sixty days from the date of this published Notice, ARS receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

R.M. Parry, Jr.,

Assistant Administrator.

[FR Doc. 96–7651 Filed 3–28–96; 8:45 am]

BILLING CODE 3410–03–M

Animal and Plant Health Inspection Service

[Docket No. 92–110–4]

Veterinary Services Draft Programmatic Environmental Impact Statement

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has prepared a draft programmatic environmental impact statement for the Veterinary Services Program, which is responsible for the protection of the Nation's livestock and

poultry. As part of this mission, Veterinary Services conducts ongoing programs designed to detect, prevent, control, and eradicate endemic and foreign animal diseases and pests that threaten these resources. The draft programmatic environmental impact statement addresses environmental impacts associated with these ongoing programs. We are requesting public comments on the draft programmatic environmental impact statement.

DATES: Consideration will be given only to comments received on or before May 28, 1996.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 92–110–4, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 92–110–4. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue, SW., Washington, DC, Between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

Interested persons may obtain a copy of the draft environmental impact statement by writing to the addresses listed below under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Ms. Nancy Sweeney, Project Leader, Environmental Analysis and Documentation, BBEP, APHIS, Suite 5B05, 4700 River Road Unit 149, Riverdale, MD 20737–1237, (301) 734–8565; or Dr. William E. Ketter, Assistant to Director, Operational Support, VS, APHIS, Suite 3B08, 4700 River Road Unit 33, Riverdale, MD 20737–1231, (301) 734–4357.

SUPPLEMENTARY INFORMATION:

Background

The Animal and Plant Health Inspection Service (APHIS) has prepared a draft programmatic environmental impact statement (EIS) for our Veterinary Services Program, which is responsible for the protection of the Nation's livestock and poultry. As part of this mission, (VS) conducts ongoing programs designed to detect, prevent, control, and eradicate endemic and foreign animal diseases and pests that threaten these resources. The draft programmatic EIS addresses environmental impacts associated with these ongoing programs.

We published a notice of intent to prepare a programmatic EIS in the Federal Register on July 23, 1992 (57 FR 32771–32772, Docket No. 92–110–1). This notice advised the public that we intended to use in-house resources to study the disease prevention, surveillance, control, and eradication activities of the VS Program to identify any potential environmental effects. We published a notice of the proposed scope of study for the programmatic EIS in the Federal Register on October 9, 1992 (57 FR 46532–46534, Docket No. 92–110–2). This notice identified potential issues to be analyzed in the programmatic EIS, and requested public comment on these and other issues. Comments were to be received on or before November 23, 1992. We published a notice of the final scope of study for the programmatic EIS in the Federal Register on March 29, 1993 (58 FR 16520–16521, Docket No. 92–110–3).

Major Issues

The comments received from the public helped us to determine the principal focus of the draft programmatic EIS. The draft programmatic EIS identifies the following VS programs and activities as having the potential to affect the quality of the human environment: (1) Methods of animal carcass disposal; (2) disease eradication efforts of an emergency nature; (3) the use of disinfectants and pesticides; (4) the import-export program; (5) the vaccination program; (6) the construction, use, and expansion of facilities; and (7) methods of animal identification. The document analyzes these VS programs and activities and examines the potential impacts of the programs as currently implemented along with the alternative of taking no Federal action.

The draft programmatic EIS is now available for review and comment. We are seeking comments from the public; industry; environmental groups; and Federal, State, and local agencies, including Federal and State agencies that have either jurisdiction by law or special expertise regarding any program issue or environmental impact that is discussed in the draft programmatic EIS.

We will consider all comments received by the close of the comment period in the development of the final programmatic EIS. The availability of the final programmatic EIS will be announced in a subsequent Federal Register notice.

This notice is issued in accordance with: (1) The National Environmental Policy Act (NEPA) (42 U.S.C. 4231 *et seq.*), (2) Regulations of the Council on Environmental Quality for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500–1508), (3) USDA Regulations Implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Done in Washington, DC, this 22nd day of March 1996.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–7652 Filed 3–28–96; 8:45 am]

BILLING CODE 3410–34–P

Forest Service

Intergovernmental Advisory Committee Meeting: Change of Meeting Location

AGENCY: Forest Service, USDA.

ACTION: Notice of Meeting: Change of Meeting Location.

SUMMARY: Notice of the April 4, 1996, Intergovernmental Advisory Committee (IAC) was published in the Federal Register on March 21, 1996, 61 FR 11605. The purpose of this notice is announce a change in the location of the meeting to 350 of the State Capitol Building in Salem, Oregon. The meeting will begin at 9:30 a.m. on April 4 and continue until 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Questions regarding this meeting may be directed to Don Knowles, Executive Director, Regional Ecosystem Office, 333 SW 1st Avenue, P.O. Box 3623, Portland, OR 97208 (Phone: 503–326–6265).

Dated: March 22, 1996.

Donald R. Knowles,

Designated Federal Official.

[FR Doc. 96–7627 Filed 3–28–96; 8:45 am]

BILLING CODE 3410–11–M

Oregon Coast Provincial Advisory Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Oregon Coast Provincial Advisory Committee (PAC) will meet on April 19, 1996, in Newport, Oregon, at the Hotel Newport, 3019 N. Coast Highway. The meeting will begin at 9:00 a.m. and continue until 3:30 p.m. Agenda items to be covered include: (1) Current events, (2) Flood update, (3) Northern Coast Range AMA Update, and (4) open public forums. All Oregon Coast Provincial Advisory Committee meetings are open to the public. Two "open forums" are scheduled; one at 9:45 a.m. and another near the conclusion of the meeting. Interested citizens are encouraged to attend. The committee welcomes the public's written comments on committee business at any time.

FOR FURTHER INFORMATION CONTACT: Direct questions regarding this meeting to Rick Alexander, Public Affairs Officer, at (541) 750–7075, or write to Forest Supervisor, Siuslaw National Forest, P.O. Box 1148, Corvallis, Oregon 97339.

Dated: March 22, 1996.

James R. Furnish,

Forest Supervisor.

[FR Doc. 96–7628 Filed 3–28–96; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Producing Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration (EDA), Commerce.

ACTION: To give firms an opportunity to comment.

Petitions have been accepted for filing on the dates indicated from the firms listed below.

LIST OF PETITION ACTION BY TRADE ADJUSTMENT ASSISTANCE FOR PERIOD 02/21/96—03/16/96

Firm name	Address	Date petition accepted	Product
Boston Precision Parts Co., Inc	46 Sprague St., Hyde Park, MA 02136	02/22/96	Stamped sheet metal parts.
Apex Machine Tool Company, Inc	21 Spring Lane, Farmington, CT 06032	03/01/96	Fixtures, gages and injection molds.
Caruso International, Inc	40 Ash Circle, Warminster, PA 18974	03/05/96	Steamsetter, hot rollers and accessories.
Gordon B. Hamilton Company	P.O. Box 11746, Tucson, AZ 85734	03/11/96	Modification and rebuilding of aircraft.
Karen Anne Mfg., Inc	599–657 Quarry Street, Fall River, MA 02723.	03/07/96	Nylon luggage and computer cases.
Colloid Chemical, Inc	225 Cedar Knolls Road, Cedar Knolls, NJ 07927.	03/11/96	Cured resin friction particle powders and Novolac-type viscous liquid resin binders.
Bibco, Inc	326 E. Main St., Benton Harbor, MI 49022.	03/07/96	Custom electronic assemblies, including flat ribbon cable, round cable and printed circuit boards.
Van Stee Corporation	200 Crescent Street, Jamestown, NY 14701.	03/07/96	Solid wooden (maple and cherry) bedroom furniture.
Cover Stitch, Inc	1629 4th Ave. SE, Dacatur, AL 35601	03/06/96	Fabric car covers.
Burton Golf, Inc	2700 25th Ave. SE, Jasper, AL 35501	03/07/96	Golf bags of leather and man-made materials.
Lestage Manufacturing Company	31 Larsen Way, North Attleboro, MA 02763.	03/13/96	Jewelry.
Detroit Steel Products Co., Inc	P.O. Box 285, Range Line Road, Morristown, IN 46161.	03/14/96	Multi-leaf springs, parabolic leaf springs and air springs for vehicles.
Great Exportations Hawaii	P.O. Box 788, Mountain View, HI 96771	03/14/96	Palms.
W.J. Dennis & Company	1111Davis Road, Elgin, IL 60123	03/14/96	Weather stripping, of plastic, felt, and adhesive.

The petitions were submitted pursuant to Section 251 of the Trade Act of 1974 (19 U.S.C. 2341). Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Trade Adjustment Assistance Division, Room 7023, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: March 19, 1996.

Lewis R. Podolske,

Director, Trade Adjustment Assistance Division.

[FR Doc. 96–7616 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–24–M

Bureau of Export Administration

Materials Processing Equipment Technical Advisory Committee; Notice of Partially Closed Meeting

A meeting of the Materials Processing Equipment Technical Advisory Committee will be held April 18, 1996, 9:00 a.m., in the Herbert C. Hoover Building, Room 1617M(2), 14th Street between Pennsylvania and Constitution Avenues, N.W., Washington, D.C. The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to materials processing and related technology.

Agenda

General Session

1. Opening remarks by the Chairman.

2. Presentation of papers or comments by the public.
3. Report on status of Control List Category 2 items.
4. Discussion of membership issues.
5. Status report on implementation of Executive Order on license processing.

Closed Session

6. Discussion of matters properly classified under Executive Order 12958, dealing with the U.S. export control program and strategic criteria related thereto.

The General Session of the meeting will be open to the public and a limited number of seats will be available. To the extent that time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting. However, to facilitate distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials two weeks prior to the meeting date to the following address: Ms. Lee Ann Carpenter, TAC Staff/ OAS–EA/Room 3886C, Bureau of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230.

The Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on December 13, 1995, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, that the series of meetings of the Committee and of any Subcommittees thereof, dealing with the classified materials listed in 5 U.S.C., 552b(c)(1) shall be exempt from the provisions relating to public meetings found in section 10(a)(1) and (a)(3), of the Federal Advisory Committee Act. The remaining series of meetings or portions thereof will be open to the public.

A copy of the Notice of Determination to close meetings or portions of meetings of the Committee is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6020, U.S. Department of Commerce, Washington, D.C. 20230. For further information or copies of the minutes, contact Lee Ann Carpenter on (202) 482–2583.

Dated: March 22, 1996.

Lee Ann Carpenter,

Director, Technical Advisory Committee Unit.

[FR Doc. 96–7617 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DT–M

International Trade Administration

[A–602–803]

Certain Corrosion-Resistant Carbon Steel Flat Products From Australia; Final Results of Antidumping Duty Administrative Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On August 16, 1995, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain corrosion-resistant carbon steel flat products from Australia. The review covers one manufacturer/exporter of the subject merchandise to the United States and the period February 4, 1993, through July 31, 1994. We gave interested parties an opportunity to comment on our preliminary results. Based on our analysis of the comments received, we have changed the results from those presented in the preliminary results of review.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Bob Bolling or Jean Kemp, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Background

On August 16, 1995, the Department published in the Federal Register (60 FR 42507) the preliminary results of the administrative review of the antidumping duty order on certain corrosion-resistant carbon steel flat products from Australia (58 FR 44161, August 19, 1993). The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Applicable Statute and Regulations

Unless otherwise stated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Scope of this Review

The products covered by this administrative review constitute one ‘‘class or kind’’ of merchandise: certain corrosion-resistant carbon steel flat products. These products include flat-rolled carbon steel products, of rectangular shape, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the HTS under item numbers 7210.31.0000, 7210.39.0000, 7210.41.0000, 7210.49.0030, 7210.49.0090, 7210.60.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.1000, 7210.90.6000, 7210.90.9000, 7212.21.0000, 7212.29.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7212.60.0000, 7215.90.1000, 7215.90.5000, 7217.12.1000, 7217.13.1000, 7217.19.1000, 7217.19.5000, 7217.22.5000, 7217.23.5000, 7217.29.1000, 7217.29.5000, 7217.32.5000, 7217.33.5000, 7217.39.1000, and 7217.39.5000. Included are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been ‘‘worked after rolling’’)—for example, products which have been bevelled or rounded at the edges. Excluded are flat-rolled steel products either plated or coated with tin, lead, chromium, chromium oxides, both tin and lead (‘‘terne plate’’), or both chromium and chromium oxides (‘‘tin-free steel’’), whether or not painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating. Also excluded are clad products in straight lengths of 0.1875 inch or more in composite thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness. Also excluded are certain clad stainless flat-rolled products, which are three-layered corrosion-resistant carbon steel flat-rolled products less than 4.75 millimeters in composite thickness that consist of a carbon steel flat-rolled product clad on both sides with stainless steel in a 20%–60%–20% ratio. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive. The period of review (POR) is February 4, 1993 through July 31, 1994.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received comments and rebuttal comments from both parties, The Broken Hill Proprietary Company Ltd. (BHP) and petitioners. At the request of BHP and petitioners a hearing was held on October 5, 1995.

Comment 1: Respondent states that the Department erred in preliminarily denying BHP its ''constructive'' quantity discount. Respondent argues that, because the Department verified that BHP granted quantity discounts on more than 20 percent of its home market sales, under section 353.55(b)(1) of the Department's regulations it follows inescapably that ''the discounts granted were of at least the same magnitude.''

Respondent illustrated how this result must follow. Assuming respondent granted discounts of 10 percent, 15 percent, 20 percent and 25 percent on 4 out of 10 sales, then discounts were granted on 40% of the total sales, and respondent asserts that the discounts granted were of at least the same magnitude as the minimum discount because each discount was of at least 10 percent. Respondent argues further that even though it only provided the average quantity discount, as opposed to the actual quantity discount given on each sale at issue, this so-called ''constructive'' quantity discount was arrived at by using actual figures, *i.e.*, by dividing the total value of discounts by the number of tonnage that received an actual discount. For any sale which received less than the average discount, or no discount, a value up to the ''constructive'' discount was reported. Moreover, the respondent contends that because the Department verified each of the ''constructive'' quantity discounts associated with the pre-selected and surprise sales at verification by using the actual public and internal price lists and checking actual quantity discounts granted, this is sufficient to justify the reliability of the average discount constructed by BHP.

Respondent states that granting the ''constructive'' quantity discount need not establish a wholesale-type precedent since BHP's factual information is unique. Therefore, based upon the facts of record, it is entitled to its ''constructive'' quantity discount adjustment pursuant to section 353.55(b)(1) of the Department's regulations.

Petitioners argue that BHP has not demonstrated a basis for granting the quantity discount under the Department's regulations. Petitioners take issue with BHP's assertion that discounts are of at least the same magnitude as the smallest discount amount granted on any sale because the smallest discount amount is not the amount reported as the constructive quantity discount. Petitioners state that the actual discounts given, or extras charged by, respondent were not of the same magnitude as the reported ''constructive'' quantity discount. Moreover, petitioners point out that at verification BHP made no attempt to demonstrate that its actual quantity discounts were of the same magnitude as the reported ''constructive'' quantity discount. In addition, petitioners state that a respondent must also establish that it granted discounts to home market customers on a uniform basis, and that the evidence confirms that quantity discounts were not charged on a uniform basis, rather they varied based on quantity purchased, product type, and whether the product was painted.

Department's Position: We disagree with respondent. To be eligible for a quantity-based discount, a respondent must demonstrate a clear and direct correlation between price differences and quantities sold. (*See e.g., Brass Sheet and Strip From the Netherlands,* 53 FR 23,431, 33 (1988). Pursuant to 353.55(b)(1) of the Department's regulations, in order to receive this adjustment a respondent must establish that it gave quantity discounts of at least the same magnitude on 20 percent or more of its home market sales of such or similar merchandise. That is to say that the discount amounts submitted must be at least as large as the discounts granted on 20 percent or more of all home market sales of such or similar merchandise. If this test is met the Department applies a discount adjustment equal to the minimum discount given.

Regardless of the fact that the Department verified that BHP had granted quantity discounts on more than 20 percent of its home market sales, because BHP only provided the Department with an average discount amount, which it applied across the board to all home market sales it claimed received a quantity-based discount, the Department has no way of determining which of the actual discounts granted were at least as large as the average discount claimed by BHP.

The hypothetical example proffered by BHP illustrates its misreading of 353.55(b)(1). BHP points to the smallest discount of 10 percent in the hypothetical example and concludes that because the other discounts in the example were all higher, it *must* follow that its average ''constructed'' discount amount will always be of at least the same magnitude as the minimum discount. However, it is not the minimum discount that we are concerned with. In BHP's example the average discount, which is 17.5 percent, while at least as large as 10 and 15 percent, is not of the same magnitude as 20 and 25 percent. By definition, the *average* discount can never be at least as large as those discounts which are higher than the average.

While the Department can agree with BHP's argument that quantity discounts granted on more than 20 percent of its home market sales must be of at least the same magnitude as the minimum discount granted, we cannot determine what that minimum discount was from the ''constructed'' average submitted by BHP. Therefore, we cannot establish the proper amount of the claimed adjustment. Lastly, as petitioners correctly point out, the Department also requires that a respondent establish that it gave discounts on a uniform basis which were available to substantially all home market customers, which BHP failed to demonstrate. Therefore, the Department will disallow the adjustment for the purposes of the final results.

Comment 2: Respondent argues that for its preliminary results, the Department omitted certain home market sales of its prime merchandise. Respondent explains that it reported all of its prime sales (by PRIMEH='1′ and by PRIMEH='3′), as well as its non-prime sales, which included seconds and downgraded merchandise (by PRIMEH='2′).

However, the respondent notes that the Department included in the home market database only prime 1 sales (''WHERE PRIMEH='1'') and omitted prime 3 sales (''WHERE PRIMEH='3''). Respondent claims that the reason it reported some of its prime as PRIMEH='3′ was in response to a Department request that overruns be separately reported, but respondent asserts that in its normal course of business it does not distinguish between its prime product and prime overruns. Respondent claims that prime overruns are sold in the home market as prime surplus stock, and that standard customer agreements grant an option to buy both prime and prime surplus. Consequently, respondent argues that the record establishes that products designated as PRIMEH='1′ and PRIMEH='3′ are prime products, and that the Department should correct the program to include sales of the latter even though they are overruns.

Petitioners argue that the Department correctly excluded overrun sales from the foreign market value calculation. Petitioners assert that it is Department practice to exclude overrun sales that are outside the ordinary course of trade. Petitioners contend that looking at the factors that the Department uses to determine whether overruns are sold in the ordinary course of business, sales of BHP's overruns are outside the ordinary course of trade. Petitioners argue that record evidence of differences in prices, profit margins, sales quantities, and sales practices between prime and overruns, all support their claim that these sales are outside the ordinary course of trade.

Department's Position: We agree with respondent. It is the Department's established practice to include home market sales of such or similar merchandise unless it can be established that such sales were not made in the ordinary course of trade. (*See e.g., Final Determination of Stainless Steel Angle From Japan*, 60 FR 16608, 16614–15 (1995)). Section 773(a)(1)(A) of the Act and section 353.46(a) of the Department's regulations provide that foreign market value shall be based on the price at which or similar merchandise is sold in the exporting country in the ordinary course of trade for home consumption. Section 771(15) of the Act defines ordinary course of trade as conditions and practices which, for a reasonable time prior to the exportation of the subject merchandise, have been normal in the trade with respect to merchandise of the same class or kind. (See, also section 353.46(b))

In looking at overruns in making this determination the Department typically examines several factors taken together, with no one factor dispositive. (*See e.g., Certain Welded Carbon Steel Standard Pipes and Tubes From India*, 56 FR 64753, 64755 (1991)). In this case, we examined: (a) whether the home market sales in question did, if fact, consist of production overruns; (b) whether differences in physical characteristics or different product uses existed between overruns and ordinary production; (c) whether the number of buyers of overruns in the home market and the sales volume and quantity (tonnage) of overruns were similar or dissimilar as compared to prime merchandise; and (d) whether the price and profit differentials between sales of overruns and ordinary production were dissimilar. In considering these factors as a whole, we found that sales of overrun corrosion-resistant steel were made in the ordinary course of trade.

Evidence indicates that home market sales of Prime3 were sales of overruns. There is no evidence on the record to indicate that there were any differences in product characteristics between prime merchandise and overruns. BHP's standard customer agreements provided an option to purchase either prime merchandise or overruns, which BHP label's as prime surplus, as they arise on their surplus stock list. (See Verification Exhibit BHP–9(b)) There is nothing in the record to indicate that overruns have different physical characteristics than prime merchandise or are used for different purposes. Record evidence establishes that the cost of producing prime and the cost of producing overruns is the same, and standard customer agreements do not distinguish between physical characteristics or product uses.

Also, the record reflects that there was a high number of buyers of overruns in relation to the number of buyers of prime merchandise sales and, in most instances, they were the same purchasers. In addition, in relation to the total quantity and volume of home market sales of prime merchandise, overruns accounted for a not insignificant percentage. With regard to pricing differences between prime merchandise and overruns, the record demonstrates that there were a variety of pricing differences. Several sales of overruns were at prices many times higher than prices for prime merchandise, several were sold at a substantial percentage of the price of prime merchandise, and some were sold at a small percentage of the price of prime. Record evidence indicates that the average profit margin on overruns was not insignificant, although the average profit margin on prime merchandise was much greater. All these factors when looked at in totality lead us to conclude that sales of 'PRIMEH=3′ were sold in the ordinary course of trade, and we will for the final results include home market sales of overruns.

Comment 3: Respondent asserts that notwithstanding the paucity of sales found to be below cost, it provided the Department with information that demonstrates that it will recover costs on these few below cost sales within a reasonable period of time.

Respondent asserts that under the law and the Department's practice it is entitled to a finding of cost recovery. Respondent notes that the Court of International Trade (CIT) has stated that ''[t]he issue * * * is not whether the record supports the conclusion that [the respondent] would be able to recover its costs at the prices charged during the investigatory period within a reasonable period of time in the normal course of trade, but whether there is substantial evidence on the record supporting Commerce's determination that [the respondent] could not recover its costs at these prices in such time period.'' *NSK Ltd.* v. *United States*, 809 F. Supp. 115 (CIT 1992) (quoting *Toho Titanium Co.* v. *United States*, 670 F. Supp. 1019, 1022 (CIT 1987)). Respondent further asserts that the CIT has stated that the Department must support its cost recovery conclusion with supporting calculations or analytical explanations, ''using either the data already collected or, if necessary, by collecting further data'' that cost recovery will not occur within a reasonable period time. *See Toho*, 670 F. Supp. at 1022.

Respondent states that it is aware that, in past cases, parties alleging cost recovery have not provided the Department with adequate data, but respondent argues that it provided detailed evidence of declining production costs and efficiency gains when it submitted information about APEX, a cost reduction program it undertook with the assistance of McKinsey Consultants and charts demonstrating cost reductions achieved over successive six month periods during the POR. This, coupled with the fact that so few sales were found by the Department to be below cost, respondent asserts is sufficient to shift the burden on the Department to demonstrate with substantial evidence that cost recovery did not occur.

Petitioners argue that respondent has the burden of proof to demonstrate that it will recover the costs of below cost sales within a reasonable period of time, a burden respondent has failed to meet. Petitioners argue that respondent failed to demonstrate that it could recover its costs at the model-specific below cost prices. Petitioners assert that respondent is required to demonstrate how any reduction in the future cost of production for the products sold below cost would translate into recovery of costs on those products for prior periods. (*NSK Ltd.* v. *United States* Slip-OP. 95–138 (CIT 1995)) Petitioners assert that while the determination of what constitutes a reasonable period of time is the Department's, respondent was also unable to identify and justify the period of time within which costs could be recovered and demonstrate that this was a reasonable period of time for cost recovery.

Department's Position: Section 773(b) of the Act provides that the Department will determine whether sales are made at less than the cost of producing the subject merchandise. If sales made below cost are not at prices which permit recovery of all costs within a reasonable period of time in the normal course of trade, such sales shall be disregarded in determining FMV. What must be demonstrated is that the prices which are below cost during the POR are at a level such that those prices would permit not only sufficient revenue to cover future costs, but also exceed future costs to a degree which permits recovery of past losses. (*See, e.g., Granular Polyethelrafluoroethylene Resin From Japan*, 58 FR 50343, 50346 (1993); *Timken Co.* V. *United States*, 673 F. Supp. 495, 516–17 (CIT 1987)) (Court holding that the term ''prices'' in section 773(b) refers only to prices of below cost sales and not to prices of above cost sales).

One situation recognized by Congress which might permit recovery of losses on below cost sales within a reasonable period of time is an industry, such as the airline industry, which incurs large research and development costs that cannot be immediately recovered by sales. (*See* S. Rep. No. 1298, 93rd Cong., 2d Sess. 173 (1974), reprinted in 1974 U.S. Code Cong. & Admin. News 7188, 7310; *Toho Tinanium Co.* v. *United States*, 670 F. Supp. 1091, 1021 (CIT 1987). The Department's practice also recognizes that extremely high production costs associated with an extraordinary event not required for the continuous production of the merchandise may be recoverable by future sales at the same prices within a reasonable period of time. (*See Porcelain-on-Steel Cooking Ware From Mexico*, 58 FR 32095, 32102 (1993)). The evidence placed on the record by respondent does not support any such finding.

BHP did submit evidence of the results of certain cost-cutting measures undertaken by the company during the POR which demonstrates that total operating costs did decline in that period. BHP points to this cost reduction as proof that it would be able to offset losses from below cost sales made during the POR using revenues from profitable, lower-cost sales made within a reasonable period of time thereafter. That is, if the company's cost of production declines in the future below the prices of below cost sales made during the POR, then those same sales prices may, in the future, allow recoupment of all costs and past losses.

Much of the information we relied on in analyzing respondent's claims is proprietary. (*See* Memo to the File, Cost Recovery (proprietary version) (February 28, 1996)). Although we found a general reduction in BHP's total operating costs, as well as a general increase in productivity and production volume, during the POR, the cost reductions and productivity/ production increases were not sustained and, in several instances, actually began to reverse direction during the POR. This, together with our finding that the prices of the below-cost sales during the POR were below *average* POR costs, leads us to conclude that the information provided by respondent regarding its cost reduction programs during the POR does not support it contention that the company's below-cost sales were at prices that would allow recovery of all costs within a reasonable period of time. Therefore, from a review of the record evidence, we conclude that BHP's below cost sales must be disregarded in calculating FMV.

Comment 4: Respondent argues that the Department should use BHP's reported interest rate to calculate inventory carrying costs and credit expenses. Respondent asserts that the intra-corporate interest rate it provided at verification is the Australian equivalent of the U.S. prime rate, and that the Federal Reserve Bank of Australia Bulletin (Bulletin) provided at verification reflects the short-term commercial interest rates (Large Business), which correspond to respondent's internal interest rates. Respondent notes that the Department in its analysis memorandum found ''[t]hese rates were not substantially different from the related-party rates reported by BHP, however, it is not clear whether these rates represent short- or long-term rates.'' Respondent asserts that the rates listed under the Large Business column of the Bulletin are a set of rates ''offered by four major Australian banks,'' and that rate is the Australian equivalent of the U.S. prime rate, which is a short-term rate by definition. Therefore, respondent contends that the Department should use the intra-corporate rate reported by BHP because this interest rate was not substantially different from the Large Business rate and these rates are short-term and market-driven.

Petitioners assert that there is no evidence on the record that the ''Large Business'' rate is the Australian equivalent of the U.S. prime rate, and that from this evidence the Department could not tell whether or not these rates represent long- or short-term rates. Furthermore, petitioners argue that it is Department practice not to accept an intra-corporate rate, since such a lending rate need not reflect commercial reality in the marketplace. Petitioners contend that the commercial bill rate selected by the Department is a permissible and reasonable Best Information Available (BIA) because it represents the interest rate for 90-day commercial lending in the home market.

Department's Position: We agree with petitioners . It is not the Department's practice to rely upon intra-corporate lending rates that are merely intra-company transfers of funds. (*See, e.g., Tapered Roller Bearing and Parts, Thereof, Finished and Unfinished from Japan*, 57 FR 4960, 71 (1992) (Comm. 32)). Additionally, even though BHP's intra-corporate rate was comparable to the Australian ''Large Business'' rate, BHP failed to provide evidence on the record to support its contention that the Australian ''Large Business'' rate is a short-term rate. Therefore, for the final results we will continue to use information on the record regarding the Australian quarterly rates for commercial bills (90 days) in effect during the POR as quoted in the OECD's ''Main Economic Indicators'' for May 1995.

Comment 5: Petitioners contend that respondent failed to report an unknown quantity of U.S. sales by its subsidiary BHP Steel Building Products (Building Products) of further manufactured merchandise made from Australian coils subject to review, and that BHP impermissibly reported only Building Products sales that Building Products could link to Australian coil tonnage entered during the POR. Petitioners assert that the Department requires that all ESP sales during the POR be reported, regardless of whether or not the subject merchandise (Australian coils) entered before suspension of liquidation.

In addition, petitioners contend that the Department verified that Building Products did not report all of its sales of subject merchandise sold during the POR, and that the Department's verification of the total sales *reported* did not address the (1) unreported sales of accessories, (2) intra-company transfers of coil tonnage, and (3) unaccounted for coil tonnage.

Petitioners claim that all sales made during the POR must be reported and point to *Industrial Belts from Italy*, 57 FR 8295, 8296 (1992 1st Review) and *Canned Pineapple Fruit from Thailand*, 60 FR 29553 (June 5, 1995) to support their position. In *Industrial Belts From Italy* petitioners assert that all sales, including sales from merchandise entered before the POR, were reported and used to ensure that there was no manipulation of the dumping margin.

However, petitioners argue that Building Products unilaterally decided which sales to report. Therefore, the Department should apply a BIA rate to all of Building Products unreported sales by applying the higher of (1) the ''second-tier'' margin under its AFBs 1992 partial BIA methodology, or (2) the highest non-aberrant margin in a given case.

Respondent asserts that petitioners incorrectly contend that respondent did not report sales made during the POR from tonnage sourced from Australia which was in Building Products inventory prior to the suspension of liquidation, *i.e.,* from coils entered before the POR. Respondent denies that it decided unilaterally not to report sales made during the POR which could not be linked to tonnage entered during the POR. In fact, respondent asserts that sales made from coils in beginning inventory (i.e., coils in inventory at the beginning of suspension of liquidation) constituted the bulk of Building Products reported sales during the POR. Respondent further asserts that all sales emanating from coils in beginning inventory were reported because respondent was unable to establish that these coils had, in fact, entered prior to the suspension of liquidation.

Respondent claims that it identified sales of subject merchandise (in coil form) in 2 ways; it made a list of all coils in Building Products inventory at the time of suspension of liquidation, which were termed beginning inventory, and a list of all coils shipped from Australia that entered during the POR, which were identified as liability coils. Respondent asserts that from both of these lists Building Products then tracked all coils as they moved through inventory and production and into a particular line item on an invoice, representing a sale of subject merchandise. Respondent argues that the Department verified the completeness of Building Products response, including its reporting of sales made from beginning inventory. Therefore, respondent argues that petitioner is completely wrong in claiming that respondent did not report all sales made from Australian coils, whether or not they entered prior to, or after, suspension of liquidation.

Additionally, respondent contends that Building Products not being able to account for all of the weight of the liability coils is not the result of respondent failing to report all sales from liability coil, as petitioners argue. Rather, this missing percentage merely reflects scrap and accessory sales made during the POR, as demonstrated by verification exhibits, and therefore no sales from liability coils were missing and not reported.

Moreover, respondent asserts that Building Products had no sales of accessories which could be identified as being of Australian origin. Respondent claims that accessory sales are, like scrap, a percentage of coil used, and that verification exhibits demonstrate that the percentage of coil weight for accessories approximates that attributable to scrap. Respondent asserts that when a coil is roll-formed, portions are lost in the process. This scrap is then collected and placed in a bin and from this point on the scrap's origin cannot be identified. Respondent contends that, as with scrap, when a small portion of a coil is subsequently converted into an accessory item, the origin of the accessory can no longer be identified. Therefore, Building Products was unable to identify accessory sales made from Australian coil.

Department's Position: Except with regard to accessories, we agree with the respondent that it properly reported all sales made during the POR. At verification, we confirmed Building Products total sales universe of its reported sales to the first unrelated party during the POR. Our review established that Building Products properly linked all the ESP sales of further-manufactured goods to coils of subject merchandise from both beginning inventory and from liability coils, which included inter-company transfers of Australian tonnage. Additionally, we verified respondents method for ascertaining how further manufactured goods were produced from Australian subject coil and how respondents accounted for and sold the merchandise to the first unrelated party. We found this methodology accurately tracked all further manufactured sales (*See Building Products Verification Report*, May 19, 1995 and Sales Trace Exhibits BP53–BP61). We traced the subject coil from each sourced point to Building Products records (*See* verification Exhibits BP–22 through BP30(a)). In addition, we traced the linkage establishing total tonnage shipped from Sheet and Coil Products Division (SCPD) to Building Products (*See* verification Exhibits BHP–27 through BHP28), and found that Building Products has reported all of its sales from Australian sourced tonnage.

In *Industrial Belts From Italy* the Department indicated that it would presume that all ESP sales of subject merchandise made during the POR were from subject merchandise entered after the date of suspension of liquidation and thus subject to antidumping duties, unless the respondent could affirmatively demonstrate that particular subject merchandise sold during the POR was entered prior to the POR. As in *Industrial Belts from Italy*, because Building Products was unable to link any sales with subject merchandise (coil tonnage) that entered the U.S. prior to the date of suspension of liquidation (February 4, 1993), all sales during the POR of merchandise made from Australian coils were reported by respondent. Therefore, we have included all sales made during the POR in our margin calculation. The Department accepts that it was impossible for Building Products to link sales of accessories, which only account for an insignificant portion of total sales, to particular coils of Australian origin. However, sales of accessories cannot properly be excluded. Therefore, the Department has treated all accessories as sales made from Australian-origin coil and has assigned to those sales the weighted-average margin based on all other sales made during the POR. (*See e.g., AFBs From Germany*, 54 FR 18,992, 19,033 (1989); *National Steel* v. *United States*, 870 F. Supp. 857 (1994)).

Comment 6: Respondent states that while, in the preliminary results, the Department denied BHP's claim for a cash (settlement) discount in the home market, the Department requested updated information for payment and shipment dates from BHP after the preliminary results were issued. Pursuant to the Department's instructions, on September 7, 1995, BHP submitted a computer tape containing updated payment and shipment dates. Therefore, respondent asserts that the Department should allow the cash (settlement) discounts adjustment reported for those sales in the final results.

Petitioners argue that the Department correctly denied the reported cash discounts for sales for which respondent had not originally reported a date of payment. Although respondent has since provided shipment and payment dates for these sales, petitioners argue that the Department has not verified these dates and the estimated cash discount amounts reported by respondent. Additionally, petitioners assert that some of these sales with a certain term of payment were found at verification by the Department to have been misreported and thus unverified. Therefore, the Department should not deduct the estimated cash discounts amounts on any of these sales.

Petitioners also contend that in the preliminary results, the Department deducted a cash discount with regard to a particular customer on certain home market sales even though the

Department verified that no discount was given. Therefore, the Department must deny cash discounts claimed on these particular home market sales to this customer.

In rebuttal respondent notes that while it originally reported cash discounts on certain sales to this particular customer even though it did not actually grant the discounts, it deleted these cash discounts from the revised data BHP submitted after the preliminary results were published. Respondent also notes that this customer failed the arms-length test so the sales were excluded from the calculation of BHP's fair market value in any event.

Department's Position: We agree with respondent. In the Department's preliminary results, we stated that we would request the updated shipment and payment date information from BHP after the preliminary results were issued. The Department has analyzed the information BHP submitted on September 7, 1995, and found the information to be consistent with the verified information (See, BHP's Verification Report dated May 23, 1995, p. 17). Therefore, for the final results the Department will use the updated shipment and payment date information.

With regard to a cash discount granted at the preliminary results to a customer who was not eligible to receive a discount, we agree with respondent that this customer, which did not actually receive the discount, failed the arms-length test. Therefore, the Department is excluding its sales from the Department's margin calculation program.

Comment 7: Petitioners allege that because BHP failed to use a proper U.S. interest rate in the calculation of credit expenses and inventory carrying costs, in the preliminary results the Department was forced to use a BIA rate of 3.44 percent, which was the average of the *Federal Reserve Statistical Release* one month commercial paper rates. However, petitioners state that the Department should use the home market short-term interest as a BIA rate because respondent had no U.S. borrowings and did not show it had access to U.S. borrowing. Therefore, in keeping with the Department's practice and the holdings of review courts, the use of a U.S. interest rate to calculate U.S. credit expense and inventory carrying costs is not appropriate. (*See, Gray Portland Cement and Clinker From Japan,* 60 FR 43761, 67 (1995)) Additionally, petitioners argue that the BIA rate applied by the Department in the preliminary results was not sufficiently adverse. Therefore, the Department should use the short-term interest rate BHP obtained when borrowing in the home market when calculating U.S. credit expense and inventory carrying costs.

Respondent asserts that it has not advocated use of its home market interest rate as a surrogate for the U.S. interest rate, as claimed by petitioners. Respondent contends that the petitioners are incorrect in claiming that it is the Department's practice to rely upon actual home market interest rates when a respondent has no U.S. dollar borrowings and provides no proof that it had access to U.S. borrowings. Rather, respondent asserts that the Department will now look to external information to determine an appropriate interest rate even in the absence of proof of access. (*See, Brass Sheet and Strip From Germany,* 60 FR 38542, 38545 (1995)) Moreover, respondent argues that, in any event, it provided evidence that it had access to U.S. borrowings.

Department's Position: When a respondent has no U.S. borrowings, it is no longer the Department's practice to substitute home market interest rates when calculating U.S. credit expense and U.S. inventory carrying costs. Rather, the Department will now match the interest rate used for credit expenses to the currency in which the sales are denominated. The Department will use the actual borrowing rates obtained by a respondent, either directly, or through related affiliates. Where there is no borrowing in a particular currency, the Department may use external information about the cost of borrowing in that currency. (*See Brass Sheet and Strip From Germany* 60 FR at 38545,46 (1995)) Because respondent did not supply the Department with an actual U.S. borrowing rate, for the preliminary results, we turned to external information and applied the average of the *Federal Reserve Statistical Release* one-month commercial paper rates in effect during the POR to calculate U.S. credit expenses and inventory carrying costs.

For the final results, we have reconsidered our use of the commercial paper rate. BHP provided no evidence that it would have had access to commercial paper rates in the United States during the POR. To show access to a U.S. rate, BHP provided the Department a letter from a U.S. bank stating the prime and LIBOR rates in effect during the POR. (*See* Verification Exhibit BT–32) However, this document does not state that this bank would have lent funds at/above/below these rates had BHP sought to borrow funds during the POR. This document also does not speak to the availability of commercial paper rates.

In the absence of U.S. dollar borrowings, we need to arrive at a reasonable surrogate for imputing U.S. credit expense. There are many and varied factors that determine at what rate a firm can borrow funds, such as the size of the firm, its creditworthiness, and its relationship with the lending bank. Without actual U.S. dollar borrowings and without substantial evidence on the record indicating what rates a firm is likely to have received if it had borrowed dollars, it is impossible to predict the rate at which a company would have borrowed dollars. Therefore, we chose the average short-term lending rate as calculated by the Federal Reserve. Each quarter the Federal Reserve collects data on loans made during the first full week of the mid-month of each quarter by sampling 340 commercial banks of all sizes. The sample data are used to estimate the terms of loans extended during that week at all insured commercial banks. This rate represents a reasonable surrogate for an actual dollar interest rate because it is calculated based on actual loans to a variety of actual customers.

For these reasons, we have recalculated BHP's imputed U.S. credit expense based on the average lending rate during the POR, as published by the Federal Reserve. (*See* the Final Analysis Memorandum for this review, which is on file in room B–099 of the main building of the Commerce Department)

Comment 8: Petitioners state that in the preliminary results the Department erred when it used gross unit price in calculating home market inventory carrying costs, but used average cost of manufacture (TCOMU) when it calculated U.S. inventory carrying costs. Petitioners state it is not the Department's practice to calculate inventory carrying cost based on cost in the U.S. market and price in the home market. Petitioners state inventory carrying costs should be compared on a fair apples-to-apples basis based on cost of the merchandise in both markets. In addition, petitioners note that the Department erred in calculating U.S. inventory carrying costs by averaging the cost of the merchandise rather than using the actual product-specific costs, because it is the Department's practice to use actual product-specific costs. Therefore, petitioners argue that the Department should recalculate inventory carrying cost based on total cost of manufacture in both markets.

Respondent states that the Department did not calculate U.S. inventory carrying costs based on prices, but based on average costs. Respondent notes that BHP submitted data in its responses pursuant to that methodology and the data was verified by the Department. Respondent also states that while gross price does appear in the Department's program with respect to inventory carrying cost, it is used (to no effect) only to ''convert'' BHP's inventory carrying expense, not to calculate it. Respondent argues that no change is required in the program because the Department did not calculate inventory carrying cost based upon home market gross unit price.

Department's Position: We agree with petitioners. Contrary to the respondent's claim, in the preliminary results the Department erred in relying upon home market prices in calculating home market carrying costs, while calculating U.S. inventory carrying costs based on the cost of manufacture. It is the Department's practice to calculate inventory carrying costs based on costs of the merchandise in both markets (*See Canned Pineapple Fruit from Thailand,* 60 Fed. Reg. 29553 (June 5, 1995)). Moreover, it is our practice to base the calculation on product-specific rather than average costs (*See, Television Receivers, Monochrome and Color From Japan,* 56 FR 38417, 423 (1991)). Therefore, for the final results the Department will calculate inventory carrying costs based on the product-specific costs of the merchandise in both markets.

Comment 9: Petitioners state that in the preliminary results the Department incorrectly included pre-sale transportation expenses from the U.S. port to the warehousing and manufacturing operations of BHP Coated Steel Corporation (Coated) and Building Products as indirect selling expenses. Petitioners state that on those ESP sales that are further manufactured, the questionnaire and Department practice require that these transportation costs be included in the cost of further manufacture. On ESP sales that are not further manufactured, Section 772(d)(2)(A) of the Act clearly instructs the Department to treat theses expenses as direct expenses. Accordingly, petitioners argue that on these sales by Coated and Building Products the pre-sale freight should be deducted as a cost of manufacture or direct expense.

Department's Position: Section 772(d)(2)(A) requires that the Department deduct from USP all movement expenses incurred in bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, regardless of whether sales of the merchandise are purchase price or ESP transactions. The Department does not treat these movement expenses as selling expenses, either direct or indirect, such as are incurred pursuant to section 772(e)(2). (*See e.g. Television Receivers, Monochrome and Color, From Japan,* 56 FR 37,078 (1991)); and *Sharp Corporation* v. *United States,* 63 F. 3d 1092 (August 1995)(upholding the Department's practice of distinguishing U.S. movement expenses from U.S. selling expenses and of limiting the ESP offset cap in adjusting FMV to the indirect selling expenses incurred in the U.S. that are deducted under 772(e)(2).) Therefore, for the final results, the Department will deduct pre-sale transportation expenses from these ESP sales that were not further manufactured. We note that for expenses for the movement of the imported product to the place of further manufacture prior to sale will be deducted as part of the cost of further manufacture (*See e.g., Stainless Steel Hollow Products From Sweden,* 59 FR 43810, 43813 (1994)).

Comment 10: Petitioners state that in the preliminary results the Department incorrectly included as indirect selling expenses slitting and painting costs that BHP Trading, Inc. (Trading) paid to unrelated parties for certain sales. Petitioners state that because these costs are directly identified with specific sales these expenses must be deducted from USP under section 772(d)(2)(A).

Department's Position: Section 772 (e)(3), which states that the exporter's sales price will be reduced by ''any increased value, including additional material and labor, resulting from a process of manufacture or assembly performed on the imported merchandise after the importation of the merchandise and before its sale to a person who is not the exporter of the merchandise,'' applies here. Pursuant to that provision, for the final results, the Department will correct the margin calculation program and will deduct from ESP Trading's further processing expenses including slitting and painting costs. For a full discussion of how we arrived at the total cost of manufacturing of these further manufactured sales, see the Final Analysis Memorandum for this review, which is on file in room B–099 of the main building of the Commerce Department.

Comment 11: For the preliminary results, petitioners state that the Department had to recalculate U.S. credit expenses because BHP's inaccurate reporting of payment and shipment dates caused the Department's margin computer program to calculate incorrect credit amounts on thousands of sales. Petitioners state that the miscalculation was caused by BHP reporting a zero in the payment date field for sales by Building Products, and the reporting of obviously incorrect shipment dates between June 1995 and December 1999 on sales by Building Products. Petitioners argue that for the final results the Department should follow its standard practice of using as BIA the highest credit cost calculated on any U.S. sale by Building Products which has a zero entered as the payment date, or an incorrect shipment date (*See, Calcium Aluminate Cement and Cement Clinker From France,* 58 FR 58683, 58684 (1993)).

Respondent agrees that certain missing Building Products payment dates or incorrect shipping dates on its computer tape should be corrected. However, respondent contends that standard Department practice is to replace the missing or incorrect data with the weighted-average credit cost for U.S. sales and cites to *Stainless Steel Threaded Pipe Fittings From Taiwan,* 59 FR 10784, 10786 (1994) in support. Respondent argues that a large number of Building Products transactions had correctly reported credit expenses which BHP states supports the accuracy and reliability of a weighted average. Respondent argues that using the highest credit expense as petitioners call for would result in a credit expense that will go beyond the highest non-aberrant rate and, therefore, would not be appropriate. Respondent argues that if the Department chooses to use BIA, it should use the partial BIA practice outlined in *Anti-Friction Roller Bearings From France,* 57 FR 28360, 28379 (1992).

Department's Position: Before the Department may find non-compliance on the part of a respondent, there must be a clear and adequate communication requesting information. *See e.g., Daewoo Elecs. Col* v. *United States,* 712 F. Supp 931, 945 (1985). BHP failed to provide credit expense data for certain sales in Building Products database even though the Department provided numerous opportunities to Building Products to correct its credit expense (*See* Supplemental Questionnaires dated December 27, 1994 and February 10, 1995).

The Department applies two types of BIA, partial BIA, which is used when a respondent's submission is deficient in limited respects, but is otherwise complete and reliable; and total BIA, which is used for a respondent who fails to timely respond or whose submission contains fundamental errors that render the entire submission unreliable. The use of partial rather than total BIA reflects the fact that, in general, the respondent has been cooperative. Thus, it is the nature of the deficiency, rather than the level of cooperation that the Department considers in exercising its discretion to select partial BIA. *See e.g., Steel Flat Products From France,* 58 FR at 37,129 (1993) (applying highest margin to certain sales of cooperative respondent); *Ad Hoc Committee* v. *United States,* 865 F. Supp. 857 (1994). In this review, because respondent failed to provide a substantial portion of the total credit expense data in its possession, we have used the highest credit cost calculated on any U.S. sales (*See e.g., Antifriction Bearings (other Than Tapered Roller Bearings) and Parts Thereof From France,* 60 FR 10900, 10907 (1995) ''*AFBs*'') (*See e.g., Calcium Aluminate Cement and Cement Clinker From France,* 58 FR 58683, 58684 (1993)).

Comment 12: Petitioners contend that the Department must deduct antidumping duties paid by the respondent or related party importers. Section 1677a(d)(1994) states that the purchase price and exporter's sales price shall be reduced by United States import duties. According to the petitioners antidumping duties are ''incident to bringing the subject merchandise from the place of shipment in the country of exportation to the place of delivery in the United States'' and are therefore properly classified as import duties. Furthermore, petitioners claim ''duties'' or ''import duties'' in trade laws are to be read as antidumping or countervailing duties unless the provision specifically indicates otherwise.

Petitioners claim that the CIT has never explicitly held that section 1677 (c)(2)(A) covers actual antidumping duties in addition to normal import duties, but argue that the court implicitly so held in *Federal-Mogul* v. *United States,* 813 F. Supp. 856,872 (1993). Petitioners claim that the court distinguished actual antidumping duties from estimated antidumping duties, which they point to as support for the notion the actual antidumping duties are part of the normal import duties to be deducted under section 1677a(d)(2)(A). Lastly, petitioners claim that language in the legislative history of the newly enacted Uruguay Round Agreements Act (URAA) which states that duty absorption is not intended to provide for the treatment of antidumping duties as cost does not mean that under the new law antidumping duties cannot be treated as normal duties, that is, as cost.

Respondent argues that the Department's well-established practice of not deducting duty as a cost is not only required by law but this issue is also pending on appeal at the Court of International Trade. Therefore, respondent asserts it would be inappropriate for the Department to reverse its practice in this investigation without prior notice or comment.

Department's Position: While section 772(d)(2)(A) requires the deduction of normal ''import duties,'' cash deposits of estimated antidumping duties are not normal import duties, and do not qualify for deduction under section 772. Contrary to petitioners'' argument, the CIT in *Federal-Mogul* v. *United States* 813 F. Supp. 856, 872 (CIT 1993), recognized that the actual amounts of normal duties to be assessed upon liquidation are known because they are based upon rates published in the Harmonized Tariff Schedule and the actual entered value of the merchandise. In contrast, deposits of estimated antidumping duties are based upon past dumping margins and may bear little relation to the actual current dumping margin. Thus, the CIT recognized the distinction between estimated antidumping duties and ''normal'' import duties for purposes of section 772(d)(2(A).

Petitioners' methodology also conflicts with the holding of the CIT in *PQ Corp.* v. *United States,* 652 F. Supp 724 (CIT 1987), in which the court addressed the issue of deduction of estimated antidumping duties under section 772(d)(2)(A). The court cited with approval the Department's policy of not allowing estimated antidumping duties, based upon past margins, to alter the calculation of present margins. The court explained ''[i]f deposits of estimated antidumping duties entered into the calculation of present dumping margins, then those deposits would work to open up a margin where none otherwise exists.'' *Id.* At 737.

Petitioners argue at length that the Department should not distinguish between purchase price and ESP transactions in deducting antidumping duties. However, because the Department does not deduct estimated antidumping duties from any transaction, this argument is inapposite.

The Department agrees with petitioners that statements made in the URAA are not relevant in this review, which is being conducted under pre-URAA law.

Comment 13: Petitioners state that the Department's calculation of Total Cost of Manufacture (TOTCOM) and Total Cost of Production (TOTCOP) is incorrect as a result of a clerical error and affects the cost test and the allocation of profit.

Respondent agrees with petitioners that certain clerical errors were made regarding TOTCOM. Respondent also claims that the Department made an error in calculating BHP's general and administrative expense.

Department's Position: We agree with petitioners. For the final results, the Department will correct the calculation of TOTCOM, thereby correcting the calculation of TOTCOP in section 1 of the margin calculation program. In addition, we agree with respondent and the Department will correct its error in calculating BHP's general and administrative expense.

Comment 14: Petitioners state that the definition of TOTCOP inadvertently omits the packing costs incurred at SCPD on sales shipped to BHP's steel service centers throughout Australia. Respondent agrees with petitioners.

Department's Position: We agree. For the final results, the Department will incorporate packing costs incurred at SCPD into its calculation of TOTCOP in section 1 of the margin calculation program.

Comment 15: Petitioners note that Building Products and Trading reported the quantities of their sales in terms of short tons, while Coated claimed that it reported its sales in pounds. Petitioners state that the Department attempted to place all U.S. sales on the same weight basis by dividing Coated's reported weight by 2000 (lbs/ton). However, petitioners allege the Department mistakenly applied the computer code to Trading's sales instead of Coated's sales. In addition, petitioners state that Coated appears to have actually reported its quantities in short tons, not in pounds.

Department's Position: We agree. Coated did report its sales on a short ton basis. Therefore, we will correct our error in the margin calculation program because there is no need to adjust Coated's sales to place all U.S. sales on the same weight basis.

Comment 16: Petitioners state that the Department must put the home market COP and the U.S. further manufacturing costs on the same weight basis in order to arrive at an accurate allocation of profit on further manufactured sales. Petitioners note that BHP reported home market cost on a metric ton basis, while U.S. further manufacturing costs were reported on a per short ton basis.

Department's Position: We agree. For the final results, the Department will convert U.S. further manufacturing costs to a metric ton basis when calculating further manufacturing costs.

Comment 17: Petitioners state that the Department incorrectly multiplied the U.S. warranty expenses by the exchange rate on Trading's U.S. sales twice.

Department's Position: We agree. For the final results, the Department will correct the margin calculation program.

Comment 18: Petitioners state that the Department mistakenly added three incorrect programming lines to its standard margin calculation program which is simply a ministerial error. However, petitioners note that the middle line should be kept and inserted at different places in the program.

Respondent asserts that the Department's apportionment of U.S. selling expenses to U.S. sales in the computer lines in question are correct. However, to avoid double-counting U.S. selling expenses, direct and indirect, it is necessary to apply a ratio which counts only the expenses which have not already been deducted as U.S. further manufacturing G&A costs.

Department's Position: We agree with petitioners that the Department in its preliminary results inadvertently included this language in its computer program. However, we disagree with the petitioners that the Department should keep the middle line in order to properly calculate the home market indirect selling expense cap. For the final results, the Department will drop these three lines from its computer program. The program as written applies a ratio of U.S. selling (direct and indirect) expenses, where appropriate, to the ESP cap and offset section of our programming. The program will not be double-counting thoses U.S. selling expenses which BHP reported for ESP transactions with further manufacturing costs. For a full discussion of how we treated these specific programming changes in this review, see the Final Analysis Memorandum for this review, which is on file in room B–099 of the main building of the Commerce Department.

Comment 19: Petitioners state that the U.S. packing costs for all further manufactured sales are reported in U.S. dollars per short ton. However, the program incorrectly multiplies these U.S. dollar amounts by the exchange rate in calculating Foreign Unit Price in Dollars (FUPDOL).

Department's Position: We agree. For the final results, the Department will correct section 2 of the margin calculation program and will not multiply the U.S. packing costs by the exchange rate when calculating FUPDOL.

Comment 20: Petitioners state that in the preliminary results the Department applied BIA to sales from Building Products that had missing customer codes and customer level of trade information. Petitioners argue that the Department should apply the higher of either the margin from the investigation, or highest non-aberrant margin to these sales.

Department's Position: For certain sales, Building Products did not report customer level of trade and customer code in its database. Therefore, we were unable to match these sales to the home market database in the preliminary results, and we applied the final weighted-average margin from the less than fair value (LTFV) investigation as BIA. However, for the final results, in accordance with *AFBs* and Department practice we are using the highest weighted-average margin from this review for these sales.

Final Results of Review

As a result of this review, we have determined that the following margin exists for the period February 2, 1993, through July 31, 1994:

Manufacturer/Exporter	Margin (percent)
BHP	39.11

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. The Department shall issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements shall be effective, upon publication of this notice of final results of administrative review, for all shipments of the subject merchandise from Australia that are entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Tariff Act: (1) the cash deposit rate for BHP will be the rate established above; (2) for previously investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 24.96 percent, the all others rate established in the final results of the less than fair value investigation (58 FR 44161, August 19, 1993).

The deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with section 353.34(d) of the Department's regulations. Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulation and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: March 20, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7615 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–570–842]

Notice of Final Determination of Sales at Less Than Fair Value; Polyvinyl Alcohol From the People's Republic of China

AGENCY: Import Administration, International Trade Administration, Commerce.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Everett Kelly or David J. Goldberger, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–4194 or (202) 482–4136, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Rounds Agreements Act (URAA).

Final Determination

As explained in the memoranda from the Assistant Secretary for Import Administration dated November 22, 1995, and January 11, 1996, the Department of Commerce (the Department) has exercised its discretion to toll all deadlines for the duration of the partial shutdowns of the Federal Government from November 15 through November 21, 1995, and December 16, 1995, through January 6, 1996. Thus, the deadline for the final determination in this investigation has been extended by 28 days, i.e., one day for each day (or partial day) the Department was closed. As such, the deadline for this final determination is no later than March 21, 1996.

We determine that polyvinyl alcohol (PVA) from the People's Republic of China (PRC) is being sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The estimated margins are shown in the ''Suspension of Liquidation'' section of this notice.

Case History

Since the preliminary determination on October 2, 1995 (60 FR 52647, October 10, 1995), the following events have occurred:

On October 13 and 17, 1995, Guangxi GITIC Import and Export Corporation (Guangxi), Guangxi Vinylon Plant (Guangxi Vinylon) and Sinopec Sichuan Vinylon Works (Sichuan), respectively, requested a postponement of the final determination pursuant to 19 CFR 353.20. The Department has determined that such requests contain an implied request to extend the provisional measures period, during which liquidation is suspended, to six months (*see Extension of Provisional Measures* memorandum dated February 7, 1996). Accordingly, on October 19, 1995, the Department postponed the final determination until February 22, 1996. (*Postponement of Final Antidumping Duty Determinations: Polyvinyl Alcohol from Japan, Taiwan, and the People's Republic of China* 60 FR 54667, October 25, 1995).

On November 3, 1995, Isolyser Co., Inc. (Isolyser), an importer of the subject merchandise, entered an appearance in this investigation, and submitted a request for clarification to the scope of this investigation, to exclude PVA fiber.

On November 20, 1995, in response to concerns of Isolyser, petitioner clarified that the scope does not include polyvinyl alcohol fiber.

In October and November, we verified the respondents' questionnaire responses. Additional publicly available published information (PAPI) on surrogate values was submitted by petitioner and respondents on January 19, 1996. Petitioner, respondents, and Isolyser submitted case briefs on January 30, 1996. Petitioner and respondents filed rebuttal briefs on February 6, 1996. A public hearing was held on February 14, 1996.

Scope of Investigation

The merchandise under investigation is polyvinyl alcohol. Polyvinyl alcohol is a dry, white to cream-colored, water-soluble synthetic polymer. Excluded from this investigation are polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic acid, or sulfonic acid uniformly present on all polymer chains in a concentration equal to or greater than two mole percent, and polyvinyl alcohols covalently bonded with silane uniformly present on all polymer chains in a concentration equal to or greater than one-tenth of one mole percent. Polyvinyl alcohol in fiber form is not included in the scope of this investigation.

The merchandise under investigation is currently classifiable under subheading 3905.30.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Period of Investigation

The period of investigation is October 1, 1994, through March 31, 1995.

Separate Rates

As stated in our preliminary determination, the PRC is a non-market economy (NME). Each of the responding PRC exporters, Sichuan and Guangxi, has requested a separate, company-specific rate. According to both respondents' business licenses, each is ''owned by all the people''. As stated in the *Final Determination of Sales at Less than Fair Value: Silicon Carbide from the People's Republic of China* 59 FR 22585, (May 2, 1994) (*Silicon Carbide*), and the *Final Determination of Sales at Less than Fair Value: Furfuryl Alcohol from the People's Republic of China* 60 FR 22545 (May 8, 1995) (*Furfuryl Alcohol*), ownership of a company by all the people does not, in itself, require the application of a single PRC-wide rate. Accordingly, both respondents are eligible for consideration for a separate rate.

To establish whether a firm is sufficiently independent from government control to be entitled to a separate rate, the Department analyzes each exporting entity under a test arising out of the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China* 56 FR 20588 (May 6, 1991) (*Sparklers*) and amplified in *Silicon Carbide*. Under the separate rates criteria, the Department assigns separate rates in nonmarket economy cases only if respondents can demonstrate the absence of both *de jure* and *de facto* governmental control over export activities.

1. Absence of De Jure Control

The respondents have placed on the administrative record a number of documents to demonstrate absence of *de jure* control, including laws, regulations and provisions enacted by the State Council of the central government of the PRC. Respondents have also submitted documents which establish that PVA is not included on the list of products that may be subject to central government export constraints (*Export Provisions*). The Department has reviewed these and other enactments in prior cases and has previously determined that these laws indicate that the responsibility for managing state-owned enterprises has been shifted from the government to the enterprise itself (See *Silicon Carbide* and *Furfuryl Alcohol*).

However, as stated in previous cases, there is some evidence that the PRC central government enactments have not been implemented uniformly among different sectors and/or jurisdictions in the PRC (See *Silicon Carbide* and *Furfuryl Alcohol*). Therefore, the Department has determined that an analysis of *de facto* control is critical in determining whether respondents are, in fact, subject to a degree of governmental control which would preclude the Department from assigning separate rates.

2. Absence of De Facto Control

The Department typically considers four factors in evaluating whether each respondent is subject to *de facto* governmental control of its export functions: (1) whether the export prices are set by or subject to the approval of a governmental authority; (2) whether the respondent has authority to negotiate and sign contracts and other agreements; (3) whether the respondent has autonomy from the government in making decisions regarding the selection of management; and (4) whether the respondent retains the proceeds of its export sales and makes independent decisions regarding disposition of profits or financing of losses (*see Silicon Carbide* and *Furfuryl Alcohol*).

Each respondent has asserted the following: (1) it establishes its own export prices; (2) it negotiates contracts, without guidance from any governmental entities or organizations; (3) it makes its own personnel decisions; and (4) it retains the proceeds of its export sales, uses profits according to its business needs and has the authority to sell its assets and to obtain loans. In addition, respondents' questionnaire responses indicate that company-specific pricing during the POI does not suggest coordination among exporters. During verification proceedings, Department officials viewed such evidence as sales documents, company correspondence, and bank statements. This information supports a finding that there is a *de facto* absence of governmental control of export functions. Consequently, we have determined that Sichuan and Guangxi have met the criteria for the application of separate rates (*see,* also Comment 1 under *Interested Party Comments* section below).

Fair Value Comparisons

To determine whether sales of PVA from the PRC to the United States by Guangxi and Sichuan were made at less than fair value, we compared Export Price (EP) to the Normal Value (NV), as specified in the ''Export Price'' and ''Normal Value'' sections of this notice.

Export Price

For both Guangxi and Sichuan, we calculated EP in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and because constructed export price under section 772(b) is not otherwise warranted on the basis of the facts of this investigation.

Petitioner has claimed that certain U.S. customers of the respondents are affiliated with respondents, pursuant to section 771(33) of the Act, through common PRC government control. However, there is no information on the record that supports the claim that the U.S. customers are affiliated with the PRC government. Further, respondents have been deemed free of government control. Therefore, we find no basis to consider these customers as affiliated with respondents.

We calculated EP based on packed, FOB PRC port or CIF U.S. port prices to unaffiliated purchasers in the United States, as appropriate, based on the same methodologies in the preliminary determination with the following exceptions:

We excluded all U.S. sales by Sichuan and Guangxi that were reported as having been made through third country resellers, as we determined that, at the time of sale, respondents were unaware of the final destination of the subject merchandise (*see* Comment 6). For Guangxi, we valued ocean freight based on the actual price paid for this expense, as we determined at verification that Guangxi used market economy carriers and paid with market economy currencies. We also included in the final determination a sale by Guangxi that was excluded from our preliminary determination, because we verified that this sale was, in fact, made during the POI.

Normal Value

As in our preliminary determination, we are relying on India as the surrogate country in accordance with section 773(c)(4) of the Act. Accordingly, we have continued to calculate normal value (NV) using Indian prices for the PRC producers' factors of production. We have obtained and relied on published, publicly-available information wherever possible.

In accordance with section 773(c) of the Act, we calculated NV based on factors of production reported by Sichuan, and by Guangxi Vinylon, which produced the PVA for Guangxi. To calculate NV, the reported unit factor quantities were multiplied by Indian values. Except as noted below, we applied surrogate values to the factors of production in the same manner as in our preliminary determination. For a complete discussion of surrogate values, *see Valuation Memorandum,* dated March 21, 1996. We then added amounts for overhead, general expenses (including interest) and profit, based on the experience of two Indian PVA producers (*see* also Comment 3), and packing expenses.

For both Sichuan and Guangxi, we have corrected the affected factors of consumption to reflect verification results. For Sichuan, these revisions include changes to PVA production stage based on actual PVA production levels, rather than the standards of the industry, (*see* Comment 8), and changes to the acetic acid consumption factors to net out regained acetic acid. For Guangxi, we revised calcium carbide factors to reflect actual rather than standard consumption (*see* Comment 7).

All-Others Rate

The Department requested the PRC Ministry of Foreign Trade and Economic Corporation (MOFTEC) to identify all exporters of subject merchandise. MOFTEC identified two PRC companies as the only known PRC exporters of PVA to the United States during the POI. Both of these identified exporters have responded in this investigation, and both were found to meet the criteria for application of separate rates. We compared the respondents' sales data with U.S. import statistics for time periods including the POI, and found no indication of unreported sales, with the possible exception of re-sales made by a third country reseller. This reseller was not investigated as a respondent in this proceeding because it was not identified as a potential respondent until after the preliminary determination. All known PRC exporters responded to our questionnaires and qualified for separate rates. We have no evidence that there are any other PRC exporters that may be subject to common government control. Therefore, we have not calculated a PRC-Wide rate in this investigation. We have calculated an all-others rate in accordance with section 735 (c)(5) of the Act.

Verification

As provided in section 776(b) of the Act, we verified the information submitted by respondents for use in our final determination. We used standard verification procedures, including examination of relevant accounting and production records and original source documents provided by respondents.

Interested Party Comments

Comment 1: Separate Rate for Sichuan Vinylon

Petitioner states that Sichuan did not demonstrate the absence of *de jure* or *de facto* governmental control and thus should not be granted a separate rate. Petitioner claims the Department found evidence at verification to indicate a relationship between Sichuan and China National Petrochemical Corporation (Sinopec), which petitioner identifies as a state-owned petroleum company. According to the petitioner, as Sichuan is a subsidiary of Sinopec, the Department's analysis of *de jure* and *de facto* governmental control should have been at the Sinopec level. Further, petitioner contends that Sichuan's questionnaire response should be considered incomplete and incorrect, since it did not disclose its business relationship with Sinopec. Therefore, petitioner asserts that the Department should rely on the facts available for calculating a margin for Sichuan, Sinopec and all other PRC entities except Guangxi.

Sichuan argues that, at the outset of this investigation, it fully disclosed its past relationship with Sinopec. Sichuan argues that, under recent PRC law, Sichuan is an independent legal person with its own management and is not related to any level of government or to Sinopec. Additionally, Sichuan states that, in past cases, the Department recognized the 1988 laws and the 1992 regulations as sufficient evidence of the absence of *de jure* government control. Further, Sichuan asserts that verification revealed no evidence of affiliation with Sinopec or *de facto* governmental control. Additionally, Sichuan contends that the name Sinopec is attached to Sichuan Vinylon Works only as a trademark used for international business recognition, a practice used by other PRC companies, and not as an indication of a continued business relationship.

DOC Position

We have calculated a separate margin rate for Sichuan. All evidence on the record supports Sichuan's assertion that there is no current relationship between Sichuan and Sinopec. Accordingly, examination of whether Sinopec was subject to government control was not necessary in considering whether to give Sichuan a separate rate. At verification, we reviewed a wide variety of sales documents including contracts, invoices, records of payments, and correspondence and found that Sichuan acted independently from Sinopec and any other entities in its day to day business activities. We found that Sichuan officials made all decisions regarding sales pricing and contracting, appointment of management personnel, and disposition of profits, and that these decisions were neither reviewed nor approved by Sinopec or any other entity. Accordingly, we determine that Sichuan has satisfactorily met the Department's criteria for showing an absence of *de jure* and *de facto* governmental control.

Comment 2: Separate Like Product for Certain PVA Grades

Isolyser, an importer of the subject merchandise, asserts that PVA hydrolyzed at a level of 98% should be considered a separate domestic like product. Thus, Isolyser contends that the Department should calculate a separate antidumping margin for PVA with a hydrolysis level of at least 98% in order for the International Trade Commission (ITC) to analyze the magnitude of the domestic margin on the domestic producers for each specific like product.

DOC Position

There is no evidence on the record to show that PVA hydrolyzed at a 98% level has physical characteristics and uses different from the subject merchandise for separate consideration as a domestic like product pursuant to section 771(10) of the Act. Therefore, we are rejecting Isolyser's request.

Comment 3: Application of Factory Overhead

Petitioner claims that the Department understated NV for both Sichuan and Guangxi in the preliminary determination by applying factory overhead only at the final stage of production, rather than to the upstream stages of the vertically integrated production processes. Petitioner argues that both respondents incur overhead costs throughout the production process, rather than simply at the final stage, because both are involved in processing and producing many of the inputs used in PVA production. Petitioner contends that the Indian PVA manufacturers are not as vertically integrated as the PRC respondents and thus the factory overhead percentage derived from the Indian companies' financial statements does not fully capture the factory overhead incurred by the PRC producers. In order to fully account for the overhead incurred, petitioners claim that an appropriate surrogate factory overhead percentage must be applied to both respondents at each upstream stage of production.

Sichuan and Guangxi argue that if factory overhead were applied to each stage of production, the Department would engage in ''double counting.'' Each respondent states that its production processes are continuous and although overhead costs are incurred throughout, by applying the overhead percentage to the factors of production at the final stage, the Department captures the total overhead cost for the entire production process.

DOC Position

We disagree with the petitioner. Our analysis of the information on the record, including the financial statements of the Indian PVA producers, does not support the assumptions made by petitioner regarding the level of vertical integration of the Indian surrogate PVA producers. There is no evidence on the record to indicate that the Indian producers are any less vertically integrated than the PRC PVA producers.

To support its claim, petitioner states that the Indian producers must purchase such inputs as acetylene gas, oxygen, nitrogen, and treated water, while the PRC producers manufacture or process these materials themselves. However, the Indian financial statements state only that the Indian producers consume such inputs, but contain no information as to whether or not such consumption is derived from internal manufacture or outside manufacture. Further analysis of these documents indicates that the Indian producers have considerable investment in PVA production facilities. Such investment may, in fact, represent vertical integration at the same level or close to that of the PRC producers.

There is no basis to assume that applying factory overhead percentage once, at the final stage of production of the PRC producers, undervalues factory overhead. By applying the factory overhead to the final stage of production we have captured all appropriate factory overhead expenses incurred in the manufacture of PVA. Therefore, we have continued our preliminary determination methodology for calculating overhead expenses.

Comment 4: Surrogate Value Source for Factory Overhead, General Expenses and Profit

Petitioner contends that the Department should continue to rely on the Annual Report of VAM Organic Chemicals Ltd. (VAM Organic), an Indian producer of VAM and PVA, as the sole source to calculate factory overhead, general expenses, and profit. Petitioner argues that VAM Organic produces mostly VAM and PVA, and its experience is the most comparable among available sources to that of the PRC producers. Petitioner argues further that the VAM Organic report is more representative of the PRC industry experience than the financial statement of a second Indian producer, Polychem Limited (Polychem), because PVA related production is a relatively smaller part of Polychem's business. If, however, the Department were to consider using both VAM Organic and Polychem data, petitioner contends that the data should be weight-averaged based on the production of VAM and PVA at each company.

Sichuan contends that the surrogate value used for factory overhead, general expenses and profit should be based on the experience of India's chemical industry as a whole, using aggregate data compiled by the Reserve Bank of India (RBI), as applied in past Department cases (*see, e.g., Saccharin*). Sichuan contends that this data is more representative than the data from VAM Organic, which Sichuan claims is aberrational. Sichuan's next preferred methodology is to base these surrogate values on Polychem's experience as Polychem's total PVA sales and VAM sales are greater than the total sales of VAM Organic's PVA and VAM sales, and thus Polychem's experience is more representative of the Indian experience. Finally, Sichuan contends that if the Department chooses to use both VAM Organic and Polychem data, the data should be weight-averaged based on each company's total sales volume of PVA.

DOC Position

For valuing such factors as factory overhead, general and administrative expenses and profit, the Department seeks to base surrogate values on industry experience closest to the product under investigation. In this case, we have information from two producers of the subject merchandise. Thus, there is no need to rely on the experience of the chemical industry as a whole. Between the two Indian producers, we found no significant difference in the quality and representativeness of the data contained in the financial statements. Thus we find both Polychem and VAM Organic to be equally representative of the PVA industry in India. Because there is nothing in this case to indicate that one factor (*i.e.* sales volume or production volume) is more important than the other in valuing factory overhead, general and administrative expenses and profit, we determine that weight-averaging the data from both companies on the basis of either factor is inappropriate. Accordingly, we have weighted the data equally between each company and calculated factory overhead, general and administrative expenses and profit percentages using a simple average of the percentages derived from each producer, and applied these percentages to the factors of production.

Comment 5: Classification of Certain Labor and Overhead Expenses

Petitioner states that the Department should follow the methodology outlined in *Final Determination of Sales at Less than Fair Value: Manganese Metal from the People's Republic of China* (60 FR 56045, November 6, 1995) (*Manganese Metal*), where the Department determined that the surrogate value for labor did not include contributions to the provident fund and employee welfare expenses and thus these contributions and expenses were added to the factory overhead calculation. Petitioner also contends that the data used to derive the value for overhead should be re-allocated to properly include research and development expenses.

Sichuan and Guangxi argue that the Department's past practice has been to include provident fund and employee welfare expenses as components of total labor cost (*see, e.g. Saccharin*) and not as part of overhead expenses. Sichuan states that the example in *Manganese Metal* was an aberration and should not be a precedent for this investigation. Sichuan asserts that the International Labor Organization (ILO) data, used by the Department in the preliminary determination, is fully loaded to include employee benefits such as provident fund contributions and employee welfare expenses. In addition, Sichuan argues that there is insufficient evidence to support petitioner's re-allocation of research and development in the factory overhead calculation. Sichuan maintains that if VAM Organic data is used, no adjustment for research and development is warranted.

DOC Position

We agree with Sichuan. As in the cases cited by Sichuan, we consider the ILO statistics to be fully loaded with respect to all labor expenses, incorporating such costs as contributions to the provident fund and employee welfare expenses. In contrast, the labor value used in *Manganese Metal* was from a different source, and did not include these expenses. We also agree there is insufficient evidence to support petitioner's assumptions for basing re-allocation of research and development expenses.

Comment 6: Sales to Non-PRC Trading Company

Petitioner contends that at the time of sale, Sichuan and Guangxi were unaware of the final destination for sales made to a third country trading company. Petitioner states these sales should be excluded from the calculation of the PRC producer's export price and assigned an antidumping rate separate from that of the respondents.

While Sichuan states the exclusion of these sales would have minimal effect on the final margin calculations, Sichuan states it knew at the time of sale that the sales to the trading company were destined to the United States. Sichuan contends that it had numerous sales documents that would have supported its claim that it knew at the time of sale the final destination of the sales made to trading companies. Guangxi agrees that it did not know the final destination of the sales made through the trading companies.

DOC Position

We reviewed numerous sales documents at the verification of Sichuan and in no instance did we find that *at the time of sale,* Sichuan knew or had any reason to believe the destination of the subject merchandise was the United States. There is no further information on the record that supports Sichuan's claim that, at the time of sale, it knew the destination of the subject merchandise. Although each respondent may have had some indication of the destination prior to the time of shipment, all of the sales documents reviewed at each company showed no information identifying the United States as the ultimate destination of the subject merchandise. We have therefore excluded the trading company sales from each company's margin calculation.

Comment 7: Guangxi Vinylon Reporting of Calcium Carbide Factor

Petitioner argues the Department should revise Guangxi's reported calcium carbide factors based on information discovered at verification, which revealed that Guangxi Vinylon had reported this factor based on an industrial standard, rather than the actual consumption of calcium carbide for PVA production.

Guangxi argues that it reported its calcium carbide factor consumption consistent with the legally required PRC industry standard for production of PVA and its production accounting system.

DOC Position

We agree with the petitioner. We have revised the calcium carbide consumption factors to reflect actual consumption, based on information discovered at verification. Actual consumption in a production process is more accurate than a standard figure.

Comment 8: Sichuan Reporting of PVA Production

Petitioner claims that the Department should reject as new information verification findings that Sichuan's reported concentration percentage of PVA used to calculate consumption factors of inputs used at the PVA production stage was inaccurate. Additionally, petitioner argues that Sichuan has not demonstrated that such an adjustment is appropriate.

Sichuan argues it provided numerous submissions and complete accurate and timely responses to the Department. Further, Sichuan states the Department was able to verify, within the time specified, the completeness of this factual information. Therefore, Sichuan argues that the Department should use the verified evidence on record to calculate an antidumping margin for Sichuan.

DOC Position

The information discovered at verification, regarding the concentration percentages of PVA production, represents a relatively minor correction of data already provided by Sichuan, rather than new information not previously provided. Moreover, we find that using the actual concentration percentages of PVA production will yield more accurate results. Therefore, we have revised affected input factors based on the actual PVA production data.

Comment 9: Surrogate Value for Electricity

Petitioner argues that the Department should use data on electricity prices issued by the Centre for Monitoring the Indian Economy (CMIE), from March 1, 1995, for the electricity surrogate value. In applying the rates, petitioner suggests the surrogate value should be calculated as the weighted-average of rates from the Indian states where the Indian chemical industry is located.

Sichuan and Guangxi argue that the electricity prices submitted by the petitioner are effective beginning with the last month of the POI, while all of their PVA production during the POI occurred earlier. Therefore, they claim that the petitioners proposed value is inappropriate for use as a surrogate value because it reflects prices in effect subsequent to their PVA production. Sichuan suggests that the Department use either data on an electricity rate for India issued by the International Energy Agency (IEA), or the CMIE value from June 1994 used in the preliminary determination. Sichuan contends that the IEA figure, when adjusted to the POI, is an appropriate measure of the cost of electricity.

DOC Position

We agree in part with the petitioner that the March 1995 CMIE data is the most contemporaneous value relative to the POI and is the appropriate source for deriving the electricity surrogate value. Petitioners and respondents are both incorrect in stating that these rates are ''effective'' on March 1, 1995. Rather, the source shows that these were the rates ''as of'' March 1, 1995, and thus represent Indian price levels contemporaneous with the POI. However, we disagree with the petitioner's weighted average methodology. There is insufficient basis to assume that the electricity rates from the Indian states selected by petitioner are more appropriate for surrogate value than electricity rates in other states. Other factors beside chemical production levels, such as methods of generation and transmission as well as overall demand, are determinants of price. Since there is not sufficient information on the record to weigh the appropriateness of using one Indian state's electricity rates over those in another, we have based the surrogate value on the simple average of all Indian state rates found in the 1995 CMIE source.

Comment 10: Surrogate Value for Natural Gas

Petitioner contends that the Department should use the data on natural gas costs derived from 1994–1995 Gujarat Narmada Valley Fertilizer Co. Ltd (Gujarat) Annual Report as a surrogate for valuing natural gas because this value reflects the actual POI cost to an Indian chemical producer of this input.

Sichuan maintains that the value submitted by petitioner is not sufficiently representative of Indian prices as it is taken from a single Indian company's experience. Sichuan supports the use of an India-wide price rate obtained for 1994–1995 from *Hydrocarbon Perspective: 2010,* as used in the preliminary determination.

DOC Position

We agree with Sichuan and have used a rate obtained from *Hydrocarbon Perspective: 2010* as the surrogate value for natural gas. In determining the most appropriate surrogate value to apply to an input factor, the Department considers such elements as the specificity of the value as compared to the factor used, the contemporaneity of the value with respect to the POI, and the representativeness of the value for the industry in the surrogate country. In this instance, both values are equally specific with respect to the natural gas input, and equally contemporaneous with respect to the POI. For this factor, we consider the *Hydrocarbon Perspective: 2010* value to be more representative than a value from an annual report of a single company.

Comment 11: Surrogate Value for Coal

Petitioner states that the Department should use a surrogate value for steam coal derived from the annual report of Sukhjit Starch & Chemical Ltd (Sukhjit), an Indian chemical manufacturer. Petitioner contends that this value is specifically for steam coal, an input used by the respondents, and the value is contemporaneous with the POI.

Sichuan contends that the Department should derive a surrogate value for steam coal using average numbers for the Indian chemical industry as a whole rather than use a price quote from specific companies whose primary production is not PVA.

DOC Position

We valued steam coal inputs using an average price derived from the Sukhjit annual report and the 1994–95 annual report for Gujarat report, identified in Comment 10, which also is on the record. Both of these sources are equally contemporaneous with the POI and are publicly available. Although the fertilizer company's annual report does not specifically classify the coal consumed as ''steam coal'', it is clear from its inclusion in a table relating to power and fuel consumption that the coal consumed is for generating steam, and thus can be considered steam coal. Therefore both values are equally specific with regard to the input. As we have no basis to determine that one of these sources is superior to the other, we have weighted them equally in calculating a surrogate value.

We agree with Sichuan that where surrogate values cannot be based on the experiences of Indian producers of subject merchandise, a surrogate value based on a broader sample of Indian experience would be preferable, where all other relevant factors are equal. However, we consider the contemporaneity to the POI of the two annual reports to be more important for valuing this factor. While Sukjhit and Gujarat are not producers of PVA, we do not consider that fact to be relevant for considering surrogate values of commodity inputs such as coal, where the prices from PAPI typically represent the overall price level for that input in the surrogate country. Further, in comparing the average of the two companies to other, non-contemporaneous values on the record, we find that our average is reasonably comparable with respect to the other inflation-adjusted coal values, including those derived from the annual reports of the Indian PVA producers.

Comment 12: Sichuan Indirect Labor Factors

Petitioner claims that Sichuan significantly underreported its indirect labor cost by reporting indirect labor only for the final stage of the production process. Petitioner contends that the Department must apply a value for indirect labor to all upstream production stages, as in *Manganese Metal.*

Sichuan contends that it reported, and the Department verified, all of its indirect labor factors and no further adjustment is warranted.

DOC Position

We agree with Sichuan. We verified Sichuan's indirect labor reporting and found no basis to add additional factors for this input. Petitioner's reliance on the *Manganese Metal* case is misplaced. In *Manganese Metal,* the respondent did not report any separate factors for indirect labor, and the factory overhead value did not include indirect labor factors. Thus, an adjustment was warranted. In this case, both Sichuan and Guangxi reported all indirect labor factors and no further accounting for this input is needed.

Comment 13: Valuation of Guangxi Vinylon's Water Consumption

Petitioner argues that Guangxi Vinylon's water factor should be considered as a direct manufacturing cost. Petitioner states that Guangxi's water factor is distinguishable from the Department's treatment of water in past cases. Petitioner argues that, in past cases, water was considered an overhead item, since there was no information in the Reserve Bank of India Bulletin data to indicate otherwise. In this case, petitioner contends that water is a direct manufacturing cost of producing PVA. Further, Petitioner argues that the Indian producers of PVA treat water as a component of power and fuel, thus identifying water as a direct manufacturing cost. Therefore, water should be calculated separately from factory overhead.

Guangxi Vinylon states that the Department's treatment of water as a factory overhead item is consistent with past practice (*see, e.g. Saccharin*) and should continue in this investigation.

DOC Position

We agree with Guangxi Vinylon. There is no information on the record that supports petitioners claim that water must be treated as a direct manufacturing cost. Consistent with our practice in such cases as *Saccharin,* which involved a chemical product and relied on a similar type of factory overhead data, we have considered Guangxi's Vinylon's water consumption factor to be part of factory overhead.

Continuation of Suspension of Liquidation

For Sichuan, we calculated a zero margin. Consistent the with *Notice of Final Determination of Sales at Less Than Fair Value: Certain Cased Pencils from the People's Republic of China* (59 FR 55625, November 8, 1994), merchandise that is sold by Sichuan but manufactured by other producers will not receive the zero margin. Instead, such entries will be subject to the ''All-Others'' rate.

In accordance with section 733(d)(1) and 735(c)(4)(B) of the Act, we are directing the Customs Service to continue to suspend liquidation of all entries of polyvinyl alcohol (except those entries that represent U.S. sales by Sichuan of PVA that Sichuan has manufactured) from the PRC, that are entered, or withdrawn from warehouse for consumption, on or after the date of publication of this notice in the Federal Register. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated amount by which the normal value exceeds the export price as shown below. These suspension of liquidation instructions will remain in effect until April 7, 1996.

The weighted-average dumping margins are as follows:

Manufacturer/Producer/Exporter	Weighted-average margin percentage
Guangxi GITIC Import and Export Corp	116.75
Sichuan Vinylon Works	0.00
All-Others Rate	116.75

The All-Others rate applies to all entries of subject merchandise except for entries from Guangxi and entries of merchandise manufactured by Sichuan.

ITC Notification

In accordance with section 735(d) of the Act, we have notified the ITC of our determination. As our final determination is affirmative, the ITC will, within 45 days, determine whether these imports are materially injuring, or threaten material injury to, the U.S. industry. If the ITC determines that material injury, or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing Customs officials to assess antidumping duties on all imports of the subject merchandise entered for consumption on or after the effective date of the suspension of liquidation.

This determination is published pursuant to section 735(d) of the Act.

Dated: March 21, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7634 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–588–836]

Notice of Final Determination of Sales at Less Than Fair Value; Polyvinyl Alcohol From Japan

AGENCY: Import Administration, International Trade Administration, Commerce.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Ellen Grebasch or Erik Warga, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone: (202) 482–3773 or (202) 482–0922, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

Final Determination

As explained in the memoranda from the Assistant Secretary for Import Administration dated November 22, 1995, and January 11, 1996, the Department of Commerce (the Department) has exercised its discretion to toll all deadlines for the duration of the partial shutdowns of the Federal Government from November 15 through November 21, 1995, and December 16, 1995, through January 6, 1996. Thus, the deadline for the final determination in this investigation has been extended by 28 days, *i.e.,* one day for each day (or partial day) the Department was closed. As such, the deadline for this final determination is no later than March 21, 1996.

We determine that polyvinyl alcohol (PVA) from Japan is being sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The estimated margins are shown in the ''Suspension of Liquidation'' section of this notice.

Case History

Since the preliminary determination of sales at less than fair value in this investigation on October 2, 1995, (60 FR

52651, October 10, 1995), the following events have occurred:

On October 17, 1995, respondent, Kuraray Co., Ltd. requested that the final determination be postponed until March 21, 1996. The Department has determined that such requests contain an implied request to extend the provisional measures period, during which liquidation is suspended, to six months (see, *Extension of Provisional Measures* memorandum dated February 7, 1996).

On November 20, 1995, the petitioner, Air Products and Chemicals, Inc., clarified its position that polyvinyl alcohol fiber was not intended to be within the scope of this investigation.

On February 2, 1996, respondent, Kuraray Co., expressly requested extension of the four month provisional measures period.

No hearing was requested or held, and no party filed a case brief.

Scope of Investigation

The merchandise under investigation is polyvinyl alcohol. Polyvinyl alcohol is a dry, white to cream-colored, water-soluble synthetic polymer. This product consists of polyvinyl alcohols hydrolyzed in excess of 85 percent, whether or not mixed or diluted with defoamer or boric acid. Excluded from this investigation are polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic acid, or sulfonic acid uniformly present on all polymer chains in a concentration equal to or greater than two mole percent, or polyvinyl alcohols covalently bonded with silane uniformly present on all polymer chains in a concentration equal to or greater than one-tenth of one mole percent. Polyvinyl alcohol in fiber form is not included in the scope of this investigation.

The merchandise under investigation is currently classifiable under subheading 3905.30.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Period of Investigation

The period of investigation (POI) is April 1, 1994, through March 31, 1995.

Facts Available

For reasons discussed in the preliminary determination, the Department has, pursuant to section 776 of the Act, used the facts available. As discussed in the preliminary determination, the Department used as the facts available the margin in the petition. For a discussion of the reasons for application of the facts available, and the selection of the petition margin as the facts available, see *Notice of Preliminary Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol from Japan,* 60 FR 52649, 52650 (October 10, 1995). The Department has not received any comments since the preliminary determination on its application of facts available.

Fair Value Comparisons

As noted above, as in our preliminary determination, this final determination has been made using the margin in the petition as the facts available.

All-Others Rate

Under section 735(c)(5) of the Act, the ‘‘all-others rate’’ will normally be a weighted average of the weighted-average dumping margins established for all exporters and producers, but excluding any zero or *de minimis* margins, or any margins based entirely on the facts available. However, this provision also states that if all weighted-average margins are zero, *de minimis,* or based on the facts available, the Department may use other reasonable methods to calculate the all-others rate, including a weighted-average of such margins. In this case, as discussed above, the margin assigned to all companies is 77.49 percent, based on the facts available. Therefore, also based on the facts available, the Department determines the all-others rate to be 77.49 percent.

Continuation of Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to continue to suspend liquidation of all entries of polyvinyl alcohol from Japan, that are entered, or withdrawn from warehouse for consumption, on or after October 10, 1995, the date of publication of our preliminary determination in the Federal Register. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated amount by which the normal value exceeds the export price as shown below. These suspension of liquidation instructions will remain in effect until April 7, 1996, in accordance with section 733(d) of the Act.

The dumping margins are as follows:

Exporter/Manufacturer	Margin percentage
Kuraray	77.49
Nippon Goshei	77.49
Unitika	77.49
Shin-Etsu	77.49
All others	77.49

The all others rate applies to all entries of subject merchandise except for entries from exporters that are identified above.

ITC Notification

In accordance with section 735(d) of the Act, we have notified the ITC of our determination. As our final determination is affirmative, the ITC will within 45 days determine whether these imports are materially injuring, or threaten material injury to, the U.S. industry. If the ITC determines that material injury, or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing Customs officials to assess antidumping duties on all imports of the subject merchandise entered, for consumption on or after the effective date of the suspension of liquidation.

This determination is published pursuant to section 735(d) of the Act and 19 CFR 353.20(a)(4).

Dated: March 21, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7635 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–583–824]

Notice of Final Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol From Taiwan

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Barbara Wojcik-Betancourt or David J. Goldberger, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone: (202) 482–0629 or (202) 482–4136, respectively.

THE APPLICABLE STATUTE: Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the

Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

FINAL DETERMINATION: As explained in the memoranda from the Assistant Secretary for Import Administration dated November 22, 1995, and January 11, 1996, the Department of Commerce (the Department) has exercised its discretion to toll all deadlines for the duration of the partial shutdowns of the Federal Government from November 15 through November 21, 1995, and December 16, 1995, through January 6, 1996. Thus, the deadline for the final determination in this investigation has been extended by 28 days, *i.e.*, one day for each day (or partial day) the Department was closed. As such, the deadline for this final determination is no later than March 21, 1996.

We determine that polyvinyl alcohol (PVA) from Taiwan is being sold in the United States at less than fair value (LTFV), as provided in section 735 of the Act. The estimated margins are shown in the ''Suspension of Liquidation'' section of this notice.

Case History

Since the preliminary determination of sales at less than fair value in this investigation on October 2, 1995, (60 FR 52651, October 10, 1995), the following events have occurred:

On October 10, 1995, Chang Chun Petrochemical Co., Ltd. (Chang Chun), the sole Taiwan producer of the subject merchandise, and the respondent in this investigation, timely requested a postponement of the final determination until not later than 135 days after publication of the preliminary determination in the Federal Register. The notice postponing the final determination was published on October 25, 1995 (60 FR 54667). The Department has determined that such requests contain an implied request to extend the provisional measures period, during which liquidation is suspended, to six months (*see Extension of Provisional Measures* memorandum dated February 7, 1996.).

We conducted verification of Chang Chun's sales and cost questionnaire responses in Taiwan during October.

On November 20, 1995, the petitioner, Air Products and Chemicals, Inc., stated that polyvinyl alcohol fiber was not intended to be within the scope of this investigation.

Monsanto Company (Monsanto), a party to the proceeding in this investigation, submitted comments on the cost of production verification report on December 18, 1995. National Starch and Chemical Company, Perry Chemical Corp., and Rhône-Poulenc, importers of the subject merchandise, submitted comments on the sales verification report on January 11, 1996.

Chang Chun and the petitioner, Air Products and Chemicals, Inc., submitted case briefs on January 16, 1996, and rebuttal briefs on January 24, 1996. Monsanto also submitted a rebuttal brief on January 24, 1996. At the request of both the petitioner and Chang Chun, a public hearing was held on February 26, 1996.

Scope of Investigation

The merchandise under investigation is polyvinyl alcohol. Polyvinyl alcohol is a dry, white to cream-colored, water-soluble synthetic polymer. This product consists of polyvinyl alcohols hydrolyzed in excess of 85 percent, whether or not mixed or diluted with defoamer or boric acid. Excluded from this investigation are polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic acid, or sulfonic acid uniformly present on all polymer chains in a concentration equal to or greater than two mole percent, and polyvinyl alcohols covalently bonded with silane uniformly present on all polymer chains in a concentration equal to or greater than one-tenth of one mole percent. Polyvinyl alcohol in fiber form is not included in the scope of this investigation.

The merchandise under investigation is currently classifiable under subheading 3905.30.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Period of Investigation

The period of investigation (POI) is April 1, 1994, through March 31, 1995.

Product Comparisons

For purposes of determining appropriate product comparisons to U.S. sales, we compared identical merchandise, or where there were no sales of identical merchandise in the home market to compare to U.S. sales, we made comparisons based on the characteristics listed in the Department's antidumping questionnaire, as had been applied in the preliminary determination, and in accordance with section 771(16) of the Act.

In its case brief, petitioner claimed that the Department should determine that ''targeted dumping'' exists under section 777A(d)(1)(B) because of a pattern of export prices, which petitioner alleged differed significantly across time. Pursuant to section 777A(d)(1)(B), the Department may compare weighted-average normal values (NV) to transaction-specific export prices, if there is a pattern of *export prices* (EP) for comparable merchandise that differ significantly among purchases, regions, or periods of time (*see* section 777A(d)(1)(B)(i)) (emphasis added) when these differences cannot be taken into account by using an average to average or transaction to transaction comparison (*see* section 777A(d)(1)(B)(ii)). Petitioner requested that the Department compare monthly average NV to monthly EP averages to alleviate the significant price distortions occurring in the *home market* at the end of the POI. Petitioner, however, failed to provide any evidence or argument as to why the alleged pattern of *export prices* constitute targeted dumping. Consequently, we have rejected petitioner's allegation of targeted dumping. However, the Department has found significant differences over time in home market pricing. Those differences have been taken into account in price averaging. For discussion of the price averaging issue, *see* Comment 3 in the *Interested Party Comments* section of this notice below.

Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act and in the Statement of Administrative Action (SAA) accompanying the URAA, to the extent practicable, the Department will calculate normal values based on sales at the same level of trade as U.S. sales.

Pursuant to 773(a)(7)(A)(i), level of trade involves the performance of different selling activities by the producer/exporter. On September 22, 1995, we sent Chang Chun supplemental questions requesting that Chang Chun establish any claimed levels of trade based on selling functions performed and services offered by Chang Chun to each customer or customer class, and to document and explain any claims for a level of trade adjustment. Chang Chun provided no additional information regarding its selling functions and continued to claim that, pursuant to section 773(a)(7) (A) and (B), levels of trade are based on customer classification.

We examined the record evidence on the selling functions performed by Chang Chun on sales in each market and found that Chang Chun provides nearly all of the same or very similar selling functions to all customers including: packing and freight services, warranty claims, advertising, technical services, and inventory maintenance. As a result, we rejected the level of trade claim because, pursuant to section 773(a)(7)(A)(i), differences in level of trade must involve the performance of different selling activities by the seller (*i.e.* the respondent producer/exporter) (*see* Comment 4). Therefore, we determine that the selling functions performed among home market sales are sufficiently similar for us to consider the home market to be one level of trade.

For the U.S. market, Chang Chun reported payment of commissions on certain U.S. sales. It reported, and we verified, that the commissions paid did not reflect payments for any services provided by the commissionaire. Apart from tolled sales, which are not used in our final determination (*see* Comment 7), we also found that the selling functions performed by the respondent in the U.S. are sufficiently similar for all sales for us to consider the U.S. market to be one level of trade.

Fair Value Comparisons

In accordance with section 772(a) of the Act, to determine whether Chang Chun's sales of PVA to the United States were made at less than fair value, we used EP because the subject merchandise was sold to the first unaffiliated purchaser in the United States prior to importation and because constructed export price (CEP) under section 772(b) is not otherwise warranted based on the facts of this investigation.

Export Price

We calculated EP based on the same methodology used in the preliminary determination. Furthermore, as in the preliminary determination, we did not include tolled sales.

Normal Value

In accordance with section 773(a)(1)(B) of the Act, we have based NV on sales in Taiwan, or, where appropriate, on constructed value (CV). We compared all home market sales to the cost of production (COP), as described below. Where home market prices were above COP, we calculated NV based on the same methodology used in the preliminary determination, with the following exceptions: (1) we recalculated reported quantity discounts and special discounts on certain sales (*see* Comment 5); and (2) we made an additional circumstance of sale adjustment for bank charges made on certain U.S.sales, based on information obtained at verification.

Cost of Production Analysis

As discussed in the preliminary determination notice, the Department conducted an investigation to determine whether Chang Chun made home market sales during the POI at prices below COP within the meaning of section 773(b) of the Act. Before making any fair value comparisons, we conducted the COP analysis described below.

A. Calculation of COP

We calculated the COP based on the sum of Chang Chun's cost of materials and fabrication for the foreign like product, plus amounts for home market general, and administrative expenses (G&A) and packing costs in accordance with section 773(b)(3) of the Act. We relied on the reported COP amounts with the following exceptions: (1) we allocated joint production costs to PVA and acetic acid (AA) based upon relative sales values (*see* comment 8); (2) we adjusted the reported cost of manufacturing (COM) to account for the difference in the COM per Chang Chun's internal records examined at the verification; (3) we adjusted the COM to include PVA's share of the difference between Chang Chun's depreciation expense for tax purposes (the amount that Chang Chun reported in its response to section D of our questionnaire), and its depreciation expense for financial statement purposes; and (4) we recalculated general and administrative expenses based on the revised COM.

B. Test of Home Market Prices

We compared the adjusted weighted-average COP figures to home market sales of the foreign like product on a product-specific basis, in order to determine whether these sales had been made at below-cost prices within an extended period of time in substantial quantities, and at prices that did not permit recovery of all costs within a reasonable period of time. The home market prices compared were exclusive of any applicable movement charges, discounts, rebates, packing, and direct and indirect selling expenses.

C. Results of COP Test

Pursuant to section 773(b)(2)(c), where less than 20 percent of sales during the POI of a given product are at prices less than the COP, we do not disregard any below-cost sales of that product because the below-cost sales are not made in substantial quantities within an extended period of time. Where 20 percent or more of sales of a given product are at prices less than the COP, we disregard only the below-cost sales because such sales are found to be made within an extended period of time, in accordance with section 773(b)(2)(B) of the Act, and at prices which would not permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act. Where all sales of a specific product are at prices below the COP, we disregard all sales of that product, and calculate NV based on CV, in accordance with section 773(a)(4) of the Act.

We found that, for certain PVA products, more than 20 percent of Chang Chun's home market sales were sold at below COP prices within the POI. Further, no evidence was presented indicating that these sales provided for the recovery of costs within a reasonable period of time. We therefore determined that these below cost sales were made in substantial quantities within an extended period of time and we excluded these sales and considered the remaining above-cost sales in determining NV, if such sales existed, in accordance with section 773(b). For those U.S. sales of PVA products for which there were no above-cost sales, we compared export prices to CV.

D. Calculation of CV

In accordance with section 773(e)(1) of the Act, we calculated CV based on the sum of Chang Chun's cost of materials, fabrication, selling, general and administrative expenses (SG&A) and U.S. packing costs as reported in the U.S. sales database. In accordance with sections 773(e)(2)(A), we based SG&A and profit on the amounts incurred and realized by the respondent in connection with the production and sale of the foreign like product in the ordinary course of trade for consumption in the foreign country. Where appropriate, we calculated CV based on the methodology described above in the calculation of COP and added an amount for profit. For selling expenses, we used the weighted-average home market selling expenses.

Comparison Methodology

In accordance with section 777A(d)(1)(A)(i) of the Act, we calculated weighted-average EPs for comparison to weighted average NVs or, as discussed above, to CV, where appropriate. The weighted averages were calculated and compared by the time period of the sale, product characteristics, and the class of the customer involved.

Chang Chun classified one of its U.S. customers as both an end-user and a distributor. Based on information in the questionnaire response, we considered this customer as an end-user for purposes of price averaging because Chang Chun reported that it sold the majority of its PVA sales to this customer for the customer's internal consumption.

The bases for establishing averaging groups according to time period and class of customer are discussed in detail below under Comments 3 and 4, respectively.

Currency Conversion

We made currency conversions into U.S. dollars based on the official exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank. Section 773A(a) of the Act directs the Department to use a daily exchange rate in order to convert foreign currencies into U.S. dollars. Further, section 773A(b) directs the Department to allow a 60-day adjustment period when a currency has undergone a sustained movement. A sustained movement has occurred when the weekly average of actual daily rates exceeds the weekly average of benchmark rates by more than five percent for eight consecutive weeks. The benchmark is defined as the moving average of rates for the past 40 business days. (For an explanation of this method, *see Policy Bulletin 96–1: Currency Conversions,* 61 FR 9434, March 8, 1996). Such an adjustment period is required only when a foreign currency is appreciating against the U.S. dollar. The use of an adjustment period was not warranted in this case because the Taiwan dollar did not undergo a sustained movement, nor were there currency fluctuations during the POI.

Verification

As provided in section 788(i) of the Act, we verified information provided by Chang Chun using standard verification procedures, including the examination of relevant sales and financial records, and selection of original source documentation containing relevant information.

Interested Party Comments

Comment: Date of Sale for Home Market Long-Term Purchase Orders.

Petitioner argues that the date of sale for home market sales made according to long-term purchase orders should not be the purchase order date, but rather the purchase order log date as used for other home market sales. Petitioner claims that the verification demonstrated that the long-term purchase orders did not constitute a binding agreement on quantity. Thus, petitioner contends, these purchase orders failed to satisfy the requirement that both price and quantity be agreed upon by the buyer and the seller for purposes of establishing date of sale. Petitioner alleges that: (1) significant amounts of purchase order quantities were unfulfilled as of the time of the Department's verification; (2) the purchase orders resemble ''blanket purchase orders'', which set sales terms and conditions over a time period for a maximum quantity of merchandise, but involve no commitment to purchase a fixed quantity and still require further communication to specify the quantity to be delivered; and (3) the purchase orders did not set quantities because Chang Chun did not meet the specified delivery period.

Chang Chun argues that the long-term purchase orders set the key terms of sale—price and quantity—and, therefore, the date of sale for these transactions should be the purchase order date. Chang Chun states that delivery terms are material only if the parties treat them as such—which the parties did not in this case. Further, Chang Chun maintains that even if purchase order quantities were not fully shipped in accordance with the delivery schedule, it does not mean that the terms of the purchase order were not met. Chang Chun cites *Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India* (59 FR 66915, December 28, 1994), where the purchase order date was used as the date of sale even though part of the purchase order quantity was canceled; and *Final Determination of Sales at Less Than Fair Value: Crankshafts from Germany* (52 FR 28170, July 28, 1987) (*Crankshafts*), where price and quantity changes after the POI did not affect the sale date for those sales shipped under the original terms.

Monsanto and U.S. importers Rhône-Poulenc, Perry Chemical, and National Starch also contend that the delivery date is not an essential term of sale, and that delays in meeting delivery date do not affect the establishment of price and quantity as of the purchase order date.

DOC Position: We agree with respondent Chang Chun that the sales made under what Chang Chun describes as ''long term purchase orders'' were made pursuant to valid contracts, and thus we are treating the date of the purchase order as the date of sale.

Neither the statute nor the Department's regulations detail how the Department is to determine the date of sale of a transaction. Therefore, under principles of administrative law, the agency is obliged to fill in the statutory gaps, either by regulation or through developing a practice. In determining the date of sale, the Department has a well-established and long-standing practice that a sale is completed within the meaning of the Act when the essential terms, *i.e.,* usually price and quantity, are definite and firm (*see ,e.g., Final Results of Antidumping Administrative Review: Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from the Federal Republic of Germany,* (56 FR 31692, July 11, 1991) (Department's established practice to use date when price and quantity terms are set as the date of sale); *see* also *Mitsubishi Elec. Corp.* v. *United States,* 700 F. Supp. 538, 561 (CIT 1988), aff'd. 898 F.2d 1577 (Fed. Cir. 1990)). The essential terms of price and quantity are firm when they are no longer within the control of the parties to alter (*see, e.g., Final Determination of Sales at Less Than Fair Value: Brass Sheet and Strip From France,* (52 FR 812, January 9, 1987) (price term pegged to publicly quoted metal prices considered definite and fixed); *Voss International* v. *United States,* 628 F.2d 1328 (CCPA 1980) (price set in dollars was definite despite provision for adjustment for currency fluctuations because the parties had nothing more to negotiate regarding price); *Final Results of Antidumping Administrative Review: Titanium Sponge From Japan,* (54 FR 13403, April 3, 1989) (absolute quantity was fixed and definite because contract required customer to purchase all that customer required)). Additionally, the Department often looks to the course of conduct between the parties in evaluating whether a written document represents a binding agreement (*see, e.g., Final Determination of Sales at Less Than Fair Value: Grey Portland Cement and Clinker from Mexico,* 55 FR 29244, July 18, 1990) (parties had begun performance pursuant to a letter agreement that Department found established a definite price and quantity); *Crankshafts,* at 28175 (the parties clearly acted in a manner consistent with a meeting of the minds that there was a binding agreement because production, acceptance of delivery and payment were in accord with the price and quantity of the written purchase order)).

Evidence on the record demonstrates that each of the contracts Chang Chun entered into during mid-February 1995 were binding agreements for purposes of establishing date of sale. Each of these written agreements, referred to by respondent as long-term purchase orders, set definite price and quantity terms and were signed by the seller Chang Chun and by each purchaser.

Moreover, for each agreement, the parties' later course of conduct evidenced that there was a meeting of the minds as to the essential terms, the price and quantity, because neither price nor quantity were altered in the course of performance.

Petitioner argues that Chang Chun had not fully delivered all of the quantity to any of the purchasers within the stated delivery period, and points to this fact as evidence that none of the long-term contracts had set firm quantities, hence, none were binding agreements. However, each long-term contract merely set out a delivery schedule wherein deliveries were to be made in installments which Chang Chun was to deliver when inventory was sufficient and its capacity to transport was available. Such language demonstrates that delivery was not intended by either party to be an essential term in the agreement. Unlike a circumstance where the parties intentionally make time of the essence, these long-term contracts did not provide that delivery within a date certain was material (*see, e.g., Final Determination of Sales at Less Than Fair Value: Oil Country Tubular Goods From Argentina,* 60 FR 33539, June 28, 1995)(*OCTG from Argentina*) (where the Department found that a change in delivery terms did not alter the date of sale because the parties themselves did not treat the delivery terms as material to the long-term contract)). The fact that at the end of the delivery time period Chang Chun sent out written extensions of delivery to each purchaser, and that each purchaser accepted deliveries of PVA pursuant to the delivery extension, is consistent with the conclusion that delivery terms were not essential to the contract. The Department has often found that changes in non-essential terms do not alter the date of sale. *See Final Determination of Sales at Less Than Fair Value: Aramid Fiber Formed of Poly-Phenylene Terephthalamide From the Netherlands,* (59 FR 23684, May 6, 1994); *see* also *General Electric Co.* v. *United States,* Slip. Op. 93–55 (CIT 1993)).

Moreover, record evidence demonstrates that Chang Chun had substantially performed on each long-term contract within the time set out in the delivery schedule and that every purchaser had accepted late delivery of remaining quantities at the price set out in the contracts. This course of conduct indicates that the parties acted in a manner consistent with their respective obligations under these agreements, even though all quantities were not delivered in strict accordance with the delivery schedule.

Lastly, we do not view the fact that respondent continued to record shipments made pursuant to the long-term contracts as it had recorded shipments made pursuant to spot sales as evidence that the long-term contracts were not binding agreements. The record-keeping was not inconsistent with the long-term contracts. For these reasons, we find that the purchase orders at issue are binding contracts. Therefore, we have used the date of the purchase orders as the date of sale.

Comment 2: Long-term Purchase Orders in the Ordinary Course of Trade.

Petitioner argues that, if the Department accepts the home market long-term purchase orders as POI sales, shipments made pursuant to these orders should be considered outside the ordinary course of trade. According to petitioner, these sales represent a significant deviation from Chang Chun's prior sales practice in terms of the manner in which sales are negotiated, and in the large volume covered. In addition, petitioner notes that these long-term orders are the first and only ones in the home market during the POI.

Chang Chun, supported by Monsanto, contends that the sales are in the ordinary course of trade because: (1) the purchase orders covered all standard grades of PVA and involved a large percentage of POI sales; (2) additional purchase orders were issued subsequent to the original ones; (3) the products were sold through Chang Chun's major channel of distribution; and (4) the sales were not unrepresentative or aberrational in nature. Furthermore, Chang Chun states that, although these purchase orders were part of a new sales and marketing strategy in response to growing competition, they are not uncommon in this industry.

DOC Position: We disagree with petitioner. It is the Department's established practice to include home market sales of such or similar merchandise unless it can be established that such sales were not made in the ordinary course of trade (*see Final Determination of Sales at Less Than Fair Value: Stainless Steel Angles from Japan,* 60 FR 16608, March 31, 1995). Section 773(a)(1)(B)(i) of the Act provides that NV shall be based on the price at which the foreign like product is sold in the exporting country in the ordinary course of trade for home market consumption. Section 771(15) of the Act states that ''* * * 'ordinary course of trade' means the conditions and practices which, for a reasonable time prior to the exportation of the subject merchandise, have been normal in the trade under consideration with respect to the merchandise of the same class or kind * * *''.

In determining whether sales are made outside the ordinary course of trade, the Department typically examines several factors taken together with no one factor dispositive. Further, the SAA at 842–843 states that sales are outside the ordinary course of trade when the ''* * * sales or transactions have characteristics that are not ordinary as compared to sales or transactions generally made in the same market.'' This statement also provides guidance to the Department in considering unusual product specifications, aberrational prices, unusual terms of sale, or other factors that may make sales extraordinary for the market in question. None of these sales involved unusual product specifications, rather, the contracts covered all standard grades of PVA. The purchasers were established PVA customers that Chang Chun had dealt with in the past. Although the prices under these contracts differed from spot-sale prices offered previously, we do not consider such prices to be unusual given the nature of a long-term contract.

Although the long-term purchase orders may have been new to Chang Chun, there is no evidence that such long-term contracts are unusual or extraordinary for the Taiwan PVA market. Further, we found that, following the institution of the purchase order system, Chang Chun consistently conducted business according to this system.

While the volume of these long-term contract sales was much greater than what Chang Chun had been selling previously on a spot sale basis, there is no evidence on the record that indicates that high volume sales were not part of the normal course of trade in the Taiwan market for a reasonble time prior to the exportation of the subject merchandise. In the past, the Department has said that the number of sales or the volume sold are not, in and of themselves, dispositive (*see Final Results of Antidumping Administrative Review: Certain Welded Carbon Steel Standard Pipes and Tubes From India,* 56 FR 64753, December 12, 1991). Therefore, we have determined that these sales were made in the ordinary course of trade and included these sales in our normal value calculation.

Comment 3: Price Averaging and Time Periods.

Petitioner argues that calculating a single POI weighted- average price for each product results in distortive comparisons between EP and NV due to the high volume of home market sales at the end of the POI pursuant to the long-term purchase orders. Petitioner submitted a number of statistical analyses to demonstrate the relationship between time and U.S. prices. Based on these analyses, petitioner contends that the price changes over the POI are significant and warrant the use of monthly, rather than POI, weighted-averages for price comparisions. In support of its position, petitioner argues that there is no statutory preference for using POI price averages, and that the monthly average methodology will satisfy the requirement of the URAA regarding contemporaneous sales comparisons.

Chang Chun, supported by Monsanto, responds that POI averages should be used in this case. Both parties contend that the Department was correct in the preliminary determination by establishing POI averages as the normal methodology for investigations. Based on its own statistical analyses, Monsanto asserts that the petitioner's analyses are faulty and that the relationship between time and price is relatively weak. Monsanto also contends that the petitioner's application of a statistical analysis methodology used in adminstrative reviews is inappropriate for this investigation, because petitioner limited the analysis to certain sales and based its results on criteria applicable to administrative reviews, but not investigations. Based on all of these factors, Monsanto contends that there is no basis to conclude that the price changes over the POI are significant, and thus no reason for the Department to abandon POI averages in favor of monthly averages.

DOC Position: Section 777A(d)(1)(A) gives the Department the explicit authority to use certain methods for comparing prices in determining whether sales at less than fair value exist. The Department may employ an average-to-average comparison of U.S. sales to the relevant home market or third country sales or rely on individual sales transactions for comparisons in both markets (*see* section 777A(d)(1)(A)(i) & (ii)). In applying an averaging approach, the SAA states that, in determining sales comparability for purposes of inclusion in a particular average, time is a factor which may affect the comparability of sales (SAA at 842–843).

As stated in our *Notice of Proposed Rulemaking and Requests for Public Comment,* 61 FR 7308, 7349 (February 27, 1996) (*Proposed Regulations*), the Department proposes that normally we will calculate an average to average comparison by weight-averaging sales during the entire POI. However, the Deparment may resort to shorter time periods where the normal values, export prices, or constructed export prices for sales included in an averaging group differ significantly over the course of the POI.

We agree with petitioner that time significantly influences price comparability in this case. An analysis of the record evidence indicates that price trends in the United States and Taiwan were essentially moving in tandem, *i.e.,* steadily rising over the POI, as were cost trends (*see Price Analysis Memorandum* dated March 20, 1996). This data tends to support the fact that prices of PVA and costs for its main input, vinyl acetate monomer (VAM), were influenced to a significant extent by world market prices. Notwithstanding this fact, and in the face of an upwardly moving cost trend during the POI, in the last six weeks of the POI Chang Chun departed from its normal spot sale selling practice and entered into several long-term contracts at prices which diverged significantly from the price trends in the first ten and a half months, and for considerably different quantities than what respondent had been selling previously through spot sales over a comparable time period.

The record evidence shows a distinct dividing line between price trends in the home market prior to February 15, 1995, when the first of the long-term contracts was entered into. While the price trend in the United States did not significantly differ in the last month and a half from the price trend evident throughout the first ten and a half months of the POI, the price trend in Taiwan in the last month and a half of the POI changed significantly from that of the first ten and a half months. Therefore, we find that price trends for NV differed significantly over time. This approach is consistent with the Department's past practice in such cases as *Final Determination of Sales at Less Than Fair Value: Nitrocellulose From Brazil,* 55 FR 23120 (June 6, 1990) (influence of time on home market sales in hyperinflationary economy), and *Final Determination of Sales at Less Than Fair Value: Fresh Kiwi Fruit From New Zealand,* 57 FR 13695 (April 17, 1992) (influence of time on home market sales of perishable agricultural products).

Moreover, the change in the home market price trends was accompanied by a change in selling practice from selling PVA on a spot sale basis to entering into long-term contracts for quantities to be delivered over a substantially longer time period. Thus, the change in selling practice enhanced the effect of time on price comparability. Because time affects price comparability, we have used two averaging periods: period 1, encompassing sales from April 1, 1994 to February 14, 1995, and period 2, covering sales from February 15, 1995 to March 31, 1995. These averages calculated by the Department effectively take into account the effect of time on price comparability.

The monthly averaging proposed by petitioner is unnecessary. Because price trends in both markets closely tracked each other except in the last 6 weeks of the POI, as described above, the evidence indicates that price comparability is unaffected by time in the first ten and half months of the POI. We reviewed the data submitted by petitioner and found insufficient information concerning the assumptions petitiioner relied upon to perform its statistical tests. As a result, we have concluded that the monthly averages proposed by petitioner are unwarranted (*see Price Analysis Memorandum*).

Comment 4: Level of Trade.

Chang Chun and Monsanto argue that comparisons should be made at the same level of trade, which they define as the position of the customer within the channels of distribution. Both parties contend that, pursuant to section 773(a)(7)(A), the ''functions of the seller'' analysis is only relevant when examining whether a level of trade adjustment should be applied. Accordingly, these parties contend that comparisons should be made at the same level of trade, defining ''distributors'', ''end-users'', and ''retailers'' as distinct levels of trade. These parties further assert that a ''retailer'' level of trade exists as a separate level of trade in the home market. In support of this argument, Monsanto adds that a pattern of consistent price differences supports consideration of customer groups as a separate level of trade and, in this regard, sales to retailers qualify as a distinct level of trade.

Petitioner claims that a ''retail'' level of trade does not exist for this industry and therefore sales to such customers should not be considered to be at a separate level of trade.

DOC Position: Levels of trade are defined by the functions of the seller, not the class of customer. Level of trade is defined as the ''. . . difference between the actual functions performed by the sellers at the different levels of trade in the two markets'' (section 773(a)(7)(A)(i) of the Act; *see* also *Preliminary Determination of Sales at Less Than Fair Value: Certain Pasta from Italy* (61 FR 7472, February 28,

1996) and *Preliminary Results of Antidumping Administrative Review: Stainless Steel Wire Rod from France* (61 FR 8915, March 6, 1996). As discussed above, we found no differences in selling functions between the customer categories defined by Chang Chun, nor did Chang Chun claim any differences in selling functions between these categories.

Accordingly, we find no basis for considering any of these categories to be separate levels of trade.

Although we have rejected the contention that the class of the customer forms the basis for level of trade, in composing an averaging group, customer classification is a factor the Department may take into account (*see SAA*). The record establishes that there are distinct customer classifications in both markets, and that Chang Chun offered significantly different prices, depending on the customer category (including different prices to home market retailers). Therefore, we have made comparisons of average prices within the same customer class wherever possible. Where such comparisons were not possible, we made comparisons without regard to customer class.

Comment 5: Discounts and Rebates on Home Market Sales.

Petitioner contends that, because the Department was unable to verify reported per-unit amounts of ''quantity discounts'' and ''special discounts'' on home market sales, all such discount claims should be rejected. Further, petitioner notes that some of these ''discounts'', which we considered as rebates in the preliminary determination, were granted after the filing of the petition and therefore should be rejected in accordance with Department practice (*see Final Determination of Sales at Less Than Fair Value: Color Negative Photographic Paper and Chemical Components Thereof from Japan*, 59 FR 16177, April 6, 1994).

Chang Chun responds that, although the classification of a discount as a ''quantity'' or ''special'' discount may have been incorrect, the Department was able to verify that the customer received discounts equal to the amount claimed on each transaction. Chang Chun adds that its discount policy was consistent between the period prior to the filing of the petition, and the period subsequent to it. Thus, Chang Chun contends that there is no relationship between its discount programs and the filing of the petition and, therefore, Chang Chun's discount claims should be accepted as claimed.

DOC Position: We were unable to verify the specific discount amounts claimed for individual home market transactions. Therefore, we cannot accept the transaction-specific amounts claimed for these transactions. We were able to verify, however, that certain customers received credits after sales that equalled the total amounts of ''quantity'' or ''special'' discounts claimed for sales to that customer. Further, we verified that Chang Chun's normal practice was to grant its customers periodic discounts in the form of credits, or rebates, based on the volume of PVA purchases (*see* Chang Chun Sales Verification Report at pages 10 and 11).

While Chang Chun may have granted some of these discounts after the filing of the petition, in most cases, the discounts were granted for sales made prior to the petition filing on the same basis, and in the same manner as such payments had been made, and credits had been granted prior to the filing of the petition. We found no evidence to conclude that post-petition discounts were granted for programs established after the filing of the petition. Thus, we find no basis to reject these discount claims solely because the customer received them after the petition was filed.

Because Chang Chun's revenues from PVA sales were reduced by these discounts amounts, we have revised the ''quantity'' and ''special'' discount amounts in the calculation of normal value by allocating the total of these discounts equally among eligible sales to each eligible customer on the basis of the respective total discount amounts and sales value to that customer.

Comment 6: Quantity Discount Claim.

Chang Chun argues that, because it granted quantity discounts on at least 20% of its sales, NV should be calculated based on sales with quantity discounts, as provided for under 19 CFR 353.55(b)(1) of the Department's pre-URAA regulations. Accordingly, Chang Chun states that EP should be adjusted to reflect the quantity discount granted to comparable sales in the home market.

Petitioner contends that the quantity discounts claimed on home market sales should be rejected because the Department was unable to verify that quantity discounts were actually granted on a unified basis to substantially all of Chang Chun's home market customers. Petitioner also argues that the Department was unable to verify that such discounts actually applied to 20% of home market sales.

DOC Position: We agree with petitioner. To be eligible for a quantity-based discount, a respondent must demonstrate that the discounts reflect savings specifically attributable to the production of the different quantities, or that the respondent granted quantity discounts of at least the same magnitude on 20% or more of sales of such or similar merchandise (*see* 19 CFR 353.55(b)). If either of these tests is met, the Department applies a discount adjustment equal to the minimum discount given.

As discussed in Comment 5, Chang Chun could not demonstrate that the specific amounts claimed as ''quantity discounts'' on specific transactions had any connection to the quantity sold, but rather, as described above, these discounts were in the nature of volume rebates. Moreover, the Department also requires a respondent to establish that it gave discounts on a uniform basis, which were made available to substantially all home market customers (*see, e.g., Final Determination of Sales at Less Than Fair Value: Brass Sheet and Strip from the Netherlands*, 53 FR 23431, June 22, 1988). This requirement was expressed in the Department's antidumping questionnaire at pages B–15 and B–16. However, Chang Chun made no attempt to demonstrate this; indeed, Chang Chun specifically stated that only customers classified as ''distributors'' were eligible for the ''home market quantity discount program'' (*see, e.g.,* letter from Ablondi, Foster, Sobin & Davidow to Ronald Brown of September 19, 1995, at page 3). Accordingly, we have disallowed this claimed adjustment.

Comment 7: Treatment of U.S. Tolled Sales.

Chang Chun argues that the Department should follow its ''long established past practice'' and estimate a separate dumping margin for its tolled sales (*i.e.*, vinyl acetate monomer owned by a U.S. customer but further processed into PVA by Chang Chun) by comparing Chang Chun's price for tolling to Chang Chun's tolling cost.

Petitioner states that the Department should not analyze these tolled transactions because the U.S. customer withdrew its request that a separate margin be calculated for these sales, and the Department has already determined not to analyze these sales (*See* Memorandum to Barbara Stafford dated August 8, 1995).

DOC Position: We agree with petitioner. As stated in the memorandum cited by the petitioner, as a result of the customer's withdrawal of its request for a separate rate in the investigation, and that the customer's participation is not otherwise essential to this investigation, we have not included tolled transactions in our investigation. We note that our past practice of analyzing tolling transactions has changed. The party contracting for the tolling, rather than the processor, will be considered the producer/exporter of the merchandise (*see Proposed Regulations,* section 353.401(h) at 7381, as well as discussion at 7330).

Comment 8: Allocation of Acetic Acid Costs for COP Analysis.

Petitioner does not object to Chang Chun's treatment of PVA and acetic acid as coproducts of a joint production process. Petitioner does, however, object to the respondent's allocation of the joint production costs on the basis of the two product's relative production volumes. Petitioner asserts that because PVA has a significantly higher per-unit value than acetic acid, production costs should be allocated to the coproducts based upon their relative sales values. Petitioner adds, however, that if the Department determines not to apply a value-based allocation methodology in computing the costs of PVA and acetic acid, then it should treat acetic acid as a byproduct by allocating all costs to PVA and offsetting such costs by revenues earned from acetic acid sales.

Chang Chun defends its treatment of acetic acid as a coproduct as well as its volume-based cost allocation methodology and urges the Department to rely on these methodologies in order to compute PVA costs for the final determination. According to Chang Chun, acetic acid is a coproduct of PVA because it meets each of the Department's criteria for identifying and accounting for jointly-produced merchandise as either byproducts or coproducts. Chang Chun also maintains that the production volume allocation methodology it used to compute PVA costs for COP and CV is the same method used by the company to compute both PVA and acetic acid costs in its normal books and records. Chang Chun adds that its volume-based cost allocation method is acceptable under Taiwan's generally accepted accounting principles (GAAP), and it was in place at the company for several months prior to the filing of the petition.

Monsanto supports Chang Chun's accounting treatment of PVA and acetic acid as coproducts, and agrees with the respondent that its volume-based allocation methodology is appropriate in this case.

DOC Position: We agree with both petitioner and Chang Chun that acetic acid should be treated as a coproduct of PVA production. As discussed in our preliminary determination, we analyzed four of the five specific factors that the Department relies on in determining whether a product should be treated as a coproduct (*see* Memorandum from Art Stein to Chris Marsh, September 29, 1995). Based on our analysis and our verification findings, we have now examined all of these factors and have concluded that acetic acid is a coproduct in the production process of polyvinyl alcohol (*see*, also, *Elemental Sulphur from Canada; Final Results of Antidumping Finding Administrative Review*, 61 FR 8239, March 4, 1996). Having made that determination, however, we disagree with Chang Chun's contention that its volume-based cost allocation methodology is appropriate in this instance.

Like other joint production processes, PVA production is characterized by certain joint costs which cannot readily be identified or traced to the individual products resulting from the joint processing performed in the manufacture of PVA. In PVA production, chemical inputs are mixed together in a process that results in two distinct products: PVA and acetic acid. These products are produced simultaneously up to a point, the split-off point, after which they become physically separated from one another. This situation presents a unique cost allocation issue because prior to the physical split-off point, the production costs, like the joint products themselves, are commingled. We note that this situation differs from cost allocations found in a batch production process which yields two or more grades of a single product (*e.g.*, steel bar). In such situations, the individual units of production can be identified, apart from one another, throughout the production process, thus presenting a readily identifiable basis upon which to allocate costs. In contrast, where a single process commingles inputs up to a split-off point, allocating joint costs to the distinct products becomes more difficult.

While there are several acceptable methods of allocating joint costs among simultaneously produced coproducts, in general, each of these acceptable methods is based on either some measure of relative value or on the physical units produced (*e.g.,* number of units, weight, etc.) (*See Cost Accounting: A Managerial Emphasis,* Charles T. Horngren, 5th edition, Prentice-Hall Inc., pp. 531–539). The choice of allocation method can have a profound impact on the outcome of relative costs, depending on the significance of the joint costs involved and the nature of the products resulting from the process.

This case presents an additional complication because of the involvement of Dairen, an affiliated supplier, which produces VAM and sells it to Chang Chun. VAM is the major raw material input in PVA production. Chang Chun, in turn, uses the VAM (from Dairen) to produce PVA and acetic acid. Chang Chun then sells much of its acetic acid production back to Dairen which, in turn, uses it as a major input in its production of VAM. Because of the nature of this cycle and the affiliation between Chang Chun and Dairen, it is important that the method used to allocate joint costs not distort the cost of PVA and acetic acid.

Section 773(f)(1)(A) of the Act provides that the Department will calculate costs based on the records of the producer of the merchandise, if such records are kept in accordance with the GAAP of the exporting country and reasonably reflect the costs associated with the production and sale of the merchandise (*see* also *Final Determination of Sales at Less Than Fair Value: Canned Pineapple Fruit From Thailand, (Canned Pineapple*), 60 FR 29559, June 5, 1995, where we stated that the Department's practice is to adhere to an individual firm's recording of costs in accordance with GAAP of its home country if the Department is satisfied that such principles reasonably reflect the costs of producing the subject merchandise). The Department's practice has been sustained by the Court of International Trade (CIT) (*see,* e.g., *Laclede Steel Co.* v. *United States, Slip Op*. 94–160 at 21–25 (CIT October 12, 1994), where the CIT upheld the Department's decision to reject respondent's reported depreciation expenses in favor of verified information obtained directly from the company's financial statements that was consistent with Korean GAAP). In addition, pursuant to section 773(f)(1)(A), the Department may only consider evidence from an exporter or producer regarding the proper allocation of costs if such allocations have been used historically by the exporter or producer (emphasis added).

Under its current accounting system, Chang Chun allocates joint production costs based on the relative production volumes of PVA and acetic acid. According to the company's financial statements, the current allocation methodology is accepted under Taiwan's GAAP. Although the company's financial statements indicate that this allocation methodology is in accordance with its home country GAAP, we note that Taiwan's GAAP does not endorse this methodology as the only acceptable cost allocation methodology. In fact, during verification, company officials stated that they did not know how costs had been allocated under the earlier method (see Cost Verification Report at page 2), however, they stated that the company's previous allocation methodology was also in accordance with Taiwan's GAAP.

Chang Chun's current cost allocation methodology was adopted in 1994. Prior to 1994, the company relied upon a different methodology to allocate costs between PVA and acetic acid. As noted above, company officials could not explain the basis for the earlier methodology. Accordingly, based on our verification findings, we cannot conclude that a volume-based allocation has been used historically by Chang Chun.

Moreover, we find that in this case, the allocation of costs equally to each kilogram produced results in an unreasonable division of joint production costs between PVA and acetic acid. Basing the allocation of costs solely on production volume ignores the vastly different revenue-producing powers of the joint products at issue in this case. Specifically, while the relative volumes of Chang Chun's PVA and acetic acid output are almost equal, the price commanded by PVA is much greater than that of acetic acid. Thus, the company's volume-based cost allocation results in large profits accruing to PVA, while significant losses result from the sale of acetic acid. The Department, therefore, has determined that it is appropriate to reject Chang Chun's volume-based allocation methodology because it does not reasonably reflect the costs associated with the production and sale of PVA, as required by statute (*see* also *Canned Pineapple*, where the Department rejected respondent's argument for a weight-based joint cost allocation for pineapple and used a value-based cost allocation, citing as one of its reasons the relationship of the revenue-producing powers of the joint products that resulted from the pineapple production process).

As noted above, the need for an appropriate allocation method for joint costs is made all the more important in this case because of the unique nature of the transactions between Chang Chun and its affiliated supplier, Dairen. Because costs are over-allocated to acetic acid as a result of Chang Chun's volume-based methodology, such costs may not be fully recovered when the acetic acid is sold to Dairen. In turn, the cost of VAM produced from acetic acid may be understated when it is resold to Chang Chun for PVA production.

Given the fact that we cannot rely upon Chang Chun's own allocation methodology, the vastly different revenue-producing powers of the two joint products, and the fact that the affiliation between Chang Chun and Dairen has the potential to result in understatement of certain PVA costs, we believe a value-based allocation methodology produces a more reasonable and accurate reflection of costs in this case.

Therefore, we are allocating joint production costs between PVA and acetic acid using the relative value of each product calculated on the basis of a two-year period prior to the POI (*see Canned Pineapple*). We believe that by using sales of both products over an extended period prior to this investigation, prices can reasonably be relied upon to form the basis for allocating joint production costs, particularly in this case where acetic acid and PVA are commodity products, and their selling prices are influenced by world market forces of supply and demand.

Comment 9: Chang Chun's VAM Cost.

Petitioner claims that Chang Chun incorrectly valued VAM that it purchased from Dairen, an affiliated supplier of VAM, at the transfer price for those months in which the transfer price was less than Dairen's COP. Accordingly, petitioner contends that the Department should adjust Chang Chun's VAM cost for the specific purchases of VAM that were made at less than Dairen's monthly COP.

DOC Position: We disagree with petitioner. We verified that, for each month of the POI, the transfer price paid by Chang Chun for its VAM purchases from Dairen exceeded Dairen's COP. We therefore relied on the transfer price between the two affiliated companies as the basis for valuing VAM in our calculation of Chang Chun's COP.

Comment 10: Unreconciled Differences Between Chang Chun's Records and Questionnaire Response.

Petitioner notes that during verification, the Department found unreconciled differences in PVA costs between Chang Chun's internal books and the costs as submitted to the Department in its questionnaire response. Most of these discrepancies related to the cost of material inputs for PVA production. Petitioner maintains that the Department should increase Chang Chun's reported PVA costs to reflect the additional costs that result from these discrepancies.

DOC Position: We agree with petitioner. At verification, Chang Chun informed the Department that it had detected a clerical error in its submission which underreported its material costs. For the final determination, we increased material costs to account for this error. Our correction of this error resolves the discrepancies noted by petitioner.

Comment 11: Depreciation.

Petitioner claims that the Department should adjust depreciation expense incurred for PVA production to reflect the amount reported in Chang Chun's financial statements, rather than the amount reported for tax purposes (which Chang Chun reported in its questionnaire response). Petitioner contends that the Department's normal methodology is to rely on costs recorded for financial statement purposes unless there is reason to believe that such costs are distortive.

Chang Chun claims that petitioner's suggested depreciation adjustment relates to the boiler department's cogeneration equipment, which produces power and steam used by not only the PVA/acetic acid cost center, but also by non-subject product cost centers. Therefore, Chang Chun asserts that any depreciation adjustment should be limited to PVA/acetic acid's percentage share of the costs of the boiler department.

DOC Position: We agree with petitioner that Chang Chun underreported its submitted depreciation expense. The Department normally requires that a respondent report depreciation expense calculated based on the methods it normally uses for financial statement purposes, unless such methods distort production costs. We also agree with Chang Chun that PVA/acetic acid production should only be allocated with its share of the costs associated with the co-generation equipment. Based on our review of Chang Chun's fixed asset and depreciation records during verification, we found no reason to believe that Chang Chun's method of computing depreciation expense for financial statement purposes distorts the company's PVA production costs. We therefore adjusted the company's submitted tax basis depreciation expense to reflect depreciation computed for PVA/acetic acid production assets based on Chang Chun's normal financial statement depreciation method.

Comment 12: Over-packing.

Petitioner asserts that because Chang Chun systematically over-packs PVA above the nominal weight and the customer pays for only the nominal weight, PVA's COP should be adjusted in order to equate the cost of the product as packed with the price of the product as sold.

Chang Chun claims that because sales are recorded on the basis of nominal quantities rather than the over-packed quantities, in order to be consistent, Chang Chun records production based on nominal quantities. Thus, Chang Chun asserts that there is no need for the Department to adjust the company's costs to reflect the over-packed quantities.

DOC Position: We verified that both production and sales were reported based on nominal weight, therefore, no further adjustment is necessary.

Comment 13: Dairen's VAM Costing Issues.

Petitioner notes that Dairen shut down its plant in January 1994 and asserts that the costs of the shutdown should be included as part of Dairen's 1994 VAM production costs. Petitioner also claims that Dairen's VAM COP should be increased to account for the cost of purchased liquid nitrogen. Furthermore, petitioner contends that the Department should reject Dairen's allocation of engineering and indirect labor costs to non-subject merchandise because it represents a deviation from Dairen's 1994 audited financial statements and is merely an internal management estimate founded upon no verifiable, objective criteria.

Chang Chun maintains that, since Dairen's plant maintenance shutdown occurred prior to the POI, no adjustment to include any portion of these costs is necessary. Chang Chun also claims that Dairen's purchased nitrogen was sold at a profit and that the cost of the nitrogen should not be charged to VAM production because the sales revenue was not deducted from the production costs. Furthermore, Chang Chun asserts that, because both its engineering and indirect labor costs benefit VAM and PVA emulsions production, its allocation of these costs to both products is appropriate.

DOC Position: We agree with petitioner that a portion of Dairen's plant shutdown costs should be added to Dairen's reported cost of producing VAM because we consider the shutdown costs a form of major maintenance which benefits production over the entire POI. Accordingly, a *pro rata* share of the shutdown costs incurred in the one month of 1994 that is part of the POI should be allocated to the cost of producing VAM during the POI.

Because the cost of VAM used in the production of PVA is based upon the transfer price, no adjustment is required. Dairen's transfer price to Chang Chun exceeds its COP for VAM (including the cost of purchased liquid nitrogen). Therefore there would be no impact on Chang Chun's COP for PVA.

Lastly, we disagree with petitioner that Dairen's allocation of engineering and indirect labor costs to non-subject merchandise should be rejected. During verification, we found that these engineering and indirect labor costs do benefit certain non-subject products. Accordingly, we consider it reasonable to allocate these costs to non-subject merchandise.

Continuation of Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to continue to suspend liquidation of all entries of PVA from Taiwan, as defined in the ''Scope of Investigation'' section of this notice, that are entered, or withdrawn from warehouse for consumption, on or after October 10, 1995, the date of publication of our preliminary determination in the Federal Register. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated amount by which the normal value exceeds the export price, as shown below. This suspension of liquidation will remain in effect until April 7, 1996 (i.e., six months after the effective date of these instructions), in accordance with section 733(d) of the Act.

The weighted-average dumping margins are as follows:

Exporter/manufacturer	Weighted-average margin percentage
Chang Chun Petrochemical Co., Ltd	19.21
All others	19.21

The all others rate applies to all entries of subject merchandise except for entries of merchandise produced by Chang Chun.

ITC Notification

In accordance with section 735(d) of the Act, we have notified the ITC of our determination. As our final determination is affirmative, the ITC will determine whether these imports are causing material injury, or threat of material injury, to the industry within 45 days. If the ITC determines that material injury, or threat of material injury, does not exist, the proceeding will be terminated and all securities posted will be refunded or cancelled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing Customs officials to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

This determination is published pursuant to section 735(d) of the Act.

Dated: March 21, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7636 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–533–809]

Certain Forged Stainless Steel Flanges From India; Preliminary Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Review.

SUMMARY: In response to a request from one respondent, the Department of Commerce (the Department) has conducted an administrative review of the antidumping duty order on certain forged stainless steel flanges (flanges) from India. The review covers one manufacturer/exporter of the subject merchandise to the United States for the period February 9, 1994 through January 31, 1995.

We have preliminarily determined that U.S. sales have been made below the normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and the NV. Interested parties are invited to comment on these preliminary results. Parties who submit arguments in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: John Kugelman, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482–5253.

SUPPLEMENTARY INFORMATION:

Background

On February 9, 1994, the Department published in the Federal Register (59

FR 5994) the antidumping duty order on certain forged stainless steel flanges from India. On January 12, 1995, the Department published in the Federal Register a notice of ''Opportunity to Request an Administrative Review'' of this antidumping duty order for the period of February 9, 1994 through January 31, 1995 (60 FR 6524). We received a timely request for review from the respondent, Akai Impex, Ltd. (Akai). On February 15, 1995, the Department initiated a review of Akai (60 FR 8629). The period of review (POR) is February 9, 1994 through January 31, 1995.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act.

Scope of the Review

The products covered by this order are certain forged stainless steel flanges both finished and not-finished, generally manufactured to specification ASTM A–182, and made in alloys such as 304, 304L, 316, and 316L. The scope includes five general types of flanges. They are weld neck, used for butt-weld line connection, threaded, used for threaded line connections, slip-on and lap joint, used with stub-ends/butt-weld line connections, socket weld, used to fit pipe into a machined recession, and blind, used to seal off a line. The sizes of the flanges with the scope range generally from one to six inches; however, all sizes of the above described merchandise are included in the scope. Specifically excluded from the scope of this order are cast stainless steel flanges. Cast stainless steel flanges generally are manufactured to specification ASTM–A–351. The flanges subject to this order are currently classifiable under subheading 7307.21.1000 and 7307.21.5000 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this order remains dispositive.

The review covers one Indian manufacturer/exporter, Akai, and the period February 9, 1994 through January 31, 1995.

United States Price (USP)

In calculating USP for Akai, the Department treated respondent's sales as export price (EP), as defined in section 772(a) of the Act, because the subject merchandise was sold to unaffiliated U.S. purchasers prior to the date of importation.

We calculated EP based on packed, delivered, duty-paid prices to unaffiliated customers in the United States. We made deductions from the gross unit price, where appropriate, for inland freight-plant/warehouse to port of exit, brokerage and handling, international freight, and U.S. customs duty, in accordance with section 772(c)(2)(A) of the Act. We added to the gross unit price packing costs for shipment to the United States, where applicable, pursuant to section 772(c)(1)(A) of the Act.

No other adjustments to USP were claimed or allowed.

Normal Value (NV)

A. Viability

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared Akai's volume of home market sales of the foreign like product to the volume of U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Act. Because Akai's aggregate volume of home market sales was less than five percent of its aggregate volume of U.S. sales for the subject merchandise, we determined that the aggregate quantity of the foreign like product sold in the exporting country is insufficient to permit a proper comparison with the sales of the subject merchandise to the United States. Therefore, in accordance with section 773(a)(1)(B), we chose Canada as the most appropriate third country market for comparison.

B. Model Match

We first searched for the third country model which is identical in characteristics with each U.S. model. When there were no contemporaneous sales of identical merchandise, we searched for the third country model which is most like or most similar in characteristics with each U.S. model. To perform the model match, we first searched for the most similar third country model with regard to alloy. If there were several third country models with identical alloy, we then searched among the models with identical alloy for the most similar third country model with regard to size. We continued this process with regard to type and standard. If, as a result of this analysis, several third country models were deemed equally similar, we chose the third country model which, when compared to the U.S. model, had the lowest difference in variable cost of manufacturing (difmer), provided the difmer did not exceed 20 percent of the total cost of manufacturing of the U.S. model.

For those U.S. models where no foreign like product was found with a difmer of less than 20 percent, we resorted to CV as the basis of NV, in accordance with section 773(a)(4) of the Act.

C. Constructed Value

In accordance with section 773(e) of the Act, we calculated CV based on Akai's cost of materials and fabrication employed in producing the subject merchandise, selling, general and administrative expense (SG&A) and profit incurred and realized in connection with the production and sale of the foreign like product, and U.S. packing costs. We used the costs of materials, fabrication, and G&A as reported in the CV portion of Akai's questionnaire response.

We used the U.S. packing costs as reported in the U.S. sales portion of Akai's questionnaire response. We based selling expenses and profit on the information reported in the third country sales portion of Akai's questionnaire response. See Certain Pasta from Italy; Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination, 61 FR 1344, 1349 (January 19, 1996). For SG&A expenses and actual profit, we used the average of actual amounts incurred and realized by Akai, in connection with the production and sale of the foreign like product in the ordinary course of trade, for consumption in the foreign country, in accordance with section 773(e)(2)(B)(ii) of the Act.

D. Price-to-Price Comparisons

For those price-to-price comparisons where we did not resort to CV, we based NV on the prices at which the foreign like products were first sold for consumption in the third country market to an unrelated party, in the usual commercial quantities and in the ordinary course of trade and, to the extent practicable, at the same level of trade as the EP, in accordance with section 773(a)(1)(B)(ii) of the Act. Akai made all third country and EP sales of subject merchandise to the same level of trade. Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual transactions to the monthly weighted-average price of sales of the foreign like product. We made adjustments, where applicable, for expenses incident to placing the foreign like product in condition packed ready for shipment to the place of delivery to the purchaser, and for third country credit expenses, in accordance with section 773(a)(6)(B)(ii) of the Act. We increased third country price by U.S. packing costs in accordance with section 773(a)(6)(A) of the Act and reduced it by third country packing costs in accordance with section 773(a)(6)(B) of the Act. Prices were reported net of value-added taxes (VAT) and, therefore, no adjustment for VAT was necessary. In accordance with section 773(a)(6)(C) of the Act, we increased NV by adding U.S. credit expense. No other adjustments were claimed or allowed.

Preliminary Results of the Review.

As a result of this review, we preliminary determine that the following weighted-average dumping margin exists:

Manufacturer/ exporter	Period	Margin (percent)
Akai Impex, Ltd.	2/09/94–1/31/95	11.04

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first workday thereafter. Case briefs and/ or written comments from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in the case briefs and comments, may be filed not later than 37 days after the date of publication. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will issue the final results of the administrative review, including the results of its analysis of issues in any such written comments or at hearing, within 180 days of issuance of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Individual differences between USP and NV may vary from the percentages stated above. The Department will issue appraisement instructions directly to Customs. The final results of this review shall be the basis for the assessment of antidumping dumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties.

Furthermore, the following deposit requirements will be effective upon completion of the final results of these administrative reviews for all shipments of Flanges from India entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for Akai will be the rate established in the final results of administrative review; (2) for merchandise exported by manufacturers or exporters not covered in these reviews but covered in the original less-than-fair-value (LTFV) investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in these reviews, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in the final results of these reviews, or the LTFV investigation; and (4) if neither the exporter nor the manufacturer is a firm covered in these or any previous reviews, the cash deposit rate will be 162.14 percent, the ''all others'' rate established in the LTFV investigation (59 FR 5994, February 9, 1994).

This notice serves as a preliminary reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice serves as a preliminary reminder to importers of their responsibility to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: March 21, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7632 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–M

[A–570–601]

Court Decision and Continuation of Suspension of Liquidation: 1989–1990 Administrative Review of Tapered Roller Bearings and Parts Thereof From the People's Republic of China

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: John Beck, Office of Antidumping Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482–3464.

SUMMARY: On February 27, 1996, in the case of *UCF America Inc. and Universal Automotive Co., Ltd.* v. *United States and the Timken Company,* Cons. Ct. No. 92–01–00049, Slip Op. 96–42 (UCF), the United States Court of International Trade (the Court) affirmed in part the Department of Commerce's (the Department's) results of redetermination on remand of the *Final Results of Sales at Less Than Fair Value: 1989–1990 Administrative Review of Tapered Roller Bearings and Parts Thereof from the People's Republic of China.* Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department will not order the liquidation of the subject merchandise entered or withdrawn from warehouse for consumption prior to a ''conclusive'' decision in this case.

SUPPLEMENTARY INFORMATION:

Background

During 1987, the Department completed its investigation of tapered roller bearings from the People's Republic of China (*Final Determination of Sales at Less Than Fair Value: Tapered Roller Bearings From the People's Republic of China* (52 FR 19748, May 27, 1987)). In addition to setting a rate for Premier Bearing (a Hong Kong trading company), the Department issued an ''all others'' rate of 0.97 percent.

Subsequently, interested parties challenged the final determination. The

Court remanded the case and, on February 26, 1990, the Department issued an amendment to the final determination (*Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order in Accordance With Decision Upon Remand: Tapered Roller Bearings From the People's Republic of China* (55 FR 6669, Feb. 26, 1990)). In its amendment, the Department issued a new ''all others'' rate of 2.96 percent.

On July 26, 1990, the Department initiated the third administrative review of tapered roller bearings from the People's Republic of China, covering the period June 1, 1989 through May 31, 1990 (*Initiation of Antidumping Duty Administrative Reviews* (55 FR 30490, July 26, 1990)). The Department initiated on CMEC (a state trading company) and Premier.

In 1991, the Department established a new policy concerning non-market economies. Under this policy, all non-market economy exporters are presumed to be a single enterprise controlled by the central government, which receives a single rate (the ''PRC rate'') (*see* the *Final Determination of Sales At Less Than Fair Value: Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China* (56 FR 241, Jan. 3, 1991); and *Final Results of Antidumping Duty Administrative Review: Iron Construction Castings from the People's Republic of China* (56 FR 2742, Jan. 24, 1991)). A company is entitled to a separate rate only if it establishes that it is not subject to de jure or de facto control by the central government (*see* the *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China* (59 FR 22585, May 2, 1994)).

The Department issued its preliminary results for the third administrative review of TRB's from the PRC on October 4, 1991 (*Preliminary Results of Antidumping Duty Administrative Review: Tapered Roller Bearings and Parts Thereof From the People's Republic of China* (56 FR 50309, Oct. 4, 1991)). The Department preliminarily issued separate rates to all reviewed companies. *Id.* at 50310.

On December 31, 1991, the Department issued its final results (*Final Results of Antidumping Duty Administrative Review: Tapered Roller Bearings and Parts Thereof From the People's Republic of China* (56 FR 67590, Dec. 31, 1991)). The Department issued separate rates for all companies participating in the review. For non-reviewed companies, the Department issued ''an 'all others' rate equal to the highest rate for any company in this administrative review.'' *Id.* at 67597.

Interested parties challenged the results of the third administrative review. On December 5, 1994, the CIT issued its opinion in *UCF America* v. *United States,* 870 F. Supp. 1120 (CIT 1994), remanding the results to the Department. The CIT instructed the Department to: 1) reinstate the ''all others'' cash deposit rate to unreviewed companies which was applicable prior to the final results for entries which have not become subject to assessment pursuant to a subsequent administrative review; and 2) eliminate the arithmetic error with regard to Jilin's foreign inland freight costs.

The Department filed its remand results on March 6, 1995. In the remand results, the Department: 1) reinstated the PRC rate for the third review at 2.96 percent and 2) corrected the error in the foreign inland freight calculation for Jilin. However, the Department stated that while it agreed that it incorrectly established an ''all others'' rate of 8.83 percent in the final results of the review, its reasoning differed from that of the Court.

On February 27, 1996, the Court sustained the Department's remand results (*see UCF America Inc. and Universal Automotive Co., Ltd.* v. *United States and the Timken Company,* Cons. Ct. No. 92–01–00049, Slip Op. 96–42. The Court stated that it ''sees no basis for a ''PRC rate'' but finds that Commerce properly 1) reinstated the ''all others'' cash deposit rate of 2.96% to unreviewed companies for entries which have not become subject to assessment pursuant to a subsequent administrative review; and 2) corrected the arithmetic error related to foreign inland freight costs for Jilin Machinery Import and Export Corporation.'' Thus, the Court sustained the rate applied by the Department but rejected the ''PRC rate'' terminology.

Continuation of Suspension of Liquidation

In its decision in *Timken,* the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish notice of a decision of the Court or Federal Circuit which is ''not in harmony'' with the Department's determination. Publication of this notice fulfills this obligation. The Federal Circuit also held that in such a case, the Department must suspend liquidation until there is a ''conclusive'' decision in the action. A ''conclusive'' decision cannot be reached until the opportunity to appeal expires or any appeal is decided by the Federal Circuit. Therefore, the Department will continue to suspend liquidation at the current rates pending the expiration of the period to appeal or pending a final decision of the Federal Circuit if *UCF* is appealed.

Dated: March 21, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7626 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–P

[C–201–001]

Leather Wearing Apparel From Mexico; Notice of Intent To Terminate the Countervailing Duty Administrative Review and Notice of Intent To Amend the Revocation of the Countervailing Duty Order

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Intent to Terminate the Countervailing Duty Administrative Review and Notice of Intent to Amend the Revocation of the Countervailing Duty Order.

SUMMARY: On September 6, 1995, the Court of Appeals for the Federal Circuit (CAFC) ruled that, absent an injury determination by the International Trade Commission, the Department of Commerce (the Department) may not assess countervailing duties under section 1303(a)(1) on entries of dutiable merchandise which occurred on or after April 23, 1985, the effective date of Mexico's Bilateral Agreement with the U.S. *Ceramica Regiomontana* v. *U.S.,* Court No. 95–1026 (Fed. Cir., Sept. 6, 1995) (*Ceramica*). As a result, we intend to terminate this administrative review, which covers the period January 1, 1994 through December 31, 1994, and amend the effective date of the revocation of the countervailing duty order on Mexican leather wearing apparel. The amended revocation would apply to all unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 23, 1985. We invite interested parties to comment on our intent to terminate this administrative review and to amend the revocation of the order.

EFFECTIVE DATE: March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Brian Albright or Cameron Cardozo, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W.,

Washington, D.C. 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

The countervailing duty order on leather wearing apparel from Mexico was issued on April 10, 1981 pursuant to section 303 of the Tariff Act of 1930, as amended (the Act). No injury determination was required for cases conducted pursuant to section 303. In the Uruguay Round Agreements Act of 1994 (URAA), which amended the Act, section 303 was repealed because the new Agreement on Subsidies and Countervailing measures (SCM Agreement) prohibits the assessment of countervailing duties on imports from a member of the WTO without an affirmative injury determination. The URAA added section 753 to the Act which provided domestic interested parties an opportunity to request an injury investigation for orders that had been issued pursuant to section 303.

Because no domestic interested parties exercised their right under section 753(a) of the Act to request an injury investigation on Mexican leather wearing apparel, the International Trade Commission made a negative injury determination with respect to this order, pursuant to section 753(b)(4) of the Act. As a result, the Department revoked this countervailing duty order, effective January 1, 1995, pursuant to section 753(b)(3)(B) of the Act. *Revocation of Countervailing Duty Orders,* 60 FR 40,568 (August 9, 1995). Administrative reviews of periods prior to January 1, 1995 could still be conducted, and on April 28, 1995 an administrative review of this order was requested for the period January 1, 1994 through December 31, 1994. 60 FR 25885 (May 15, 1995).

On September 6, 1995, in a case involving the countervailing duty order on ceramic tile from Mexico, the CAFC ruled that, absent an injury determination by the International Trade Commission (ITC), the Department may not assess countervailing duties under section 1303(a)(1) on entries from Mexico of dutiable merchandise which occurred on or after April 23, 1985, the effective date of Mexico's Bilateral Agreement with the U.S. (*Ceramica* at 8). On February 21, 1996, the Department implemented the CAFC's ruling in the case of Mexican ceramic tile. 61 FR 6630. Because the order on leather wearing apparel is a Mexican order and involves the same set of pertinent facts (i.e., the ITC did not make an injury determination), the CAFC's decision applies to the order on leather wearing apparel from Mexico.

As a result, we intend to terminate the instant review of this countervailing duty order. Also, we intend to amend the previous revocation of this order to make the revocation for all unliquidated entries effective April 23, 1985, rather than January 1, 1995, in recognition of the *Ceramica* decision.

Scope of the Review

Imports covered by this review are shipments of Mexican leather wearing apparel. These products include leather coats and jackets for men, boys, women, girls, and infants, and other leather apparel products including leather vests, pants, and shorts. Also included are outer leather shells and parts and pieces of leather wearing apparel. This merchandise is currently classifiable under *Harmonized Tariff Schedule* (HTS) item numbers 4203.10.4030, 4203.10.4060, 4203.10.4085 and 4203.10.4095. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Notice of Intent To Terminate the Countervailing Duty Administrative Review and Notice of Intent To Amend the Revocation of the Countervailing Duty Order

This notice serves as notification to the public of our intent to terminate the instant administrative review and amend the revocation of the countervailing duty order on Mexican leather wearing apparel to be effective April 23, 1985. If our final determination remains unchanged from this notice of intent, the revocation will apply to all unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 23, 1985.

Therefore, we intend to instruct the U.S. Customs Service to terminate the suspension of liquidation and liquidate all unliquidated entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 23, 1985, without regard to countervailing duties. We intend to instruct the U.S. Customs Service to refund with interest any estimated countervailing duties collected with respect to those entries. We note that the requirements for a cash deposit of estimated countervailing duties were previously terminated in conjunction with the section 753 determination.

Interested parties may request a hearing not later than 10 days after the date of publication of this notice. Interested parties may submit written arguments in case briefs on this notice of intent within 21 days of the date of publication. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted five days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. Any hearing, if requested, will be held two days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 355.38(e).

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under section 355.38(c), are due. The Department will publish its final determination with respect to this intended termination and revocation, including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

This notice is published in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 355.22.

Dated: March 21, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–7637 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DS–P

Export Trade Certificate of Review

ACTION: Notice of Application.

SUMMARY: The Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482–5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination of whether a Secretary of Commerce should issue a Certificate to the applicant. An original and five (5) copies of such comments should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1800H, Washington, D.C. 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). Comments should refer to this application as ''Export Trade Certificate of Review, application number 96–00002.''

Summary of the Application

Applicant: U.S. Leaf Tobacco Exporter, L.L.C., c/o Henry Babb, Jr., Esq., Narron, Holdford, Babb, Harrison & Rhodes, PA, Wilson, North Carolina 27894–0279, Contact: Laurence T. Sorkin, Esq., Telephone: (212) 701–3209.

Application No.: 96–00006

Date Deemed Submitted: March 18, 1996.

Members (in addition to applicant): Universal Leaf Tobacco Company, Incorporated, Richmond, Virginia; DIMON International, Inc., Farmville, North Carolina; Unitob Inc., Greenville, North Carolina; Standard Commercial Corporation, Wilson, North Carolina; G.F. Vaughan Tobacco, Co., Inc., Lexington, Kentucky.

Note: This application is made on behalf of the Members listed above, as well as any U.S. tobacco dealer which is a wholly owned or majority owned subsidiary of a Member or of its controlling entity. A list of the subsidiaries of each Member or its controlling entity is attached hereto as Attachment I.

U.S. Leaf Tobacco Exporters, L.L.C. seek a Certificate to cover the following specific Export Trade, Export Markets, and Export Trade Activities and Methods of Operations.

Export Trade

Products

Green leaf tobacco (SIC 5159)

Services

Processing and shipment of green leaf tobacco (SIC 2141)

Export Trade Facilitation Services (as they relate to the Export of Products and Services.)

Consulting, market research, advertising, marketing, insurance, product research and design, legal assistance, transportation (including trade documentation and freight forwarding), communication and processing of orders, warehousing, foreign exchange, financing, and taking title to goods.

Export Markets

The Export Markets are foreign government-owned purchasers known as State Trading Entities (''STEs'') and are limited to the following: Algeria, China, Egypt, Korea, Lebanon, Morocco, Thailand, Taiwan, Turkey, Tunisia, and Vietnam.

Export Trade Activities and Methods of Operation

1. In connection with the promotion and sale of Members' Products and Services into the Export Markets, U.S. Leaf Tobacco Exporters, L.L.C. and/or one or more of its Members may:

a. Solicit orders or bids from STEs in Export Markets.

b. Design and execute foreign marketing strategies for sales in Export Markets.

c. Quote charges to STEs for processing, shipping and handling services relating to the sale of U.S. grown tobacco to such buyers. Such quotes may be made by one or more Members individually or by Applicant on behalf of such Members as may be interested in participating in such transactions or opportunities.

d. Collect and exchange information about Applicant's or Members' export operations and prior export sales by Members, including export price information with respect to STEs.

e. Collaborate in the preparation and submission of individual or joint bids for processing, shipping and handling charges relating to the sale of tobacco to STEs in Export Markets.

f. Collect and exchange information and conduct joint negotiations with STEs concerning estimated yields for the processing of green leaf tobacco into redried tobacco.

g. Allocate export sales and/or export markets among Members to STEs.

h. Engage in joint promotional activities aimed at increasing sales in existing Export Markets and identifying new Export Markets, such as: arranging trade shows and marketing trips; providing advertising services; providing brochures, industry newsletters and other forms of product, service and industry information; conducting international market and product research; procuring international marketing, advertising and promotional services; and sharing the cost of these joint promotional activities among the Members.

i. Collect and exchange information with respect to transportation services utilized by the Members in the export of U.S. grown tobacco, including overseas freight transportation, inland freight transportation from the Members' processing plants to the U.S. port of embarkment, storage and warehousing, stevedoring, wharfage and handling, insurance, forwarder services, trade documentation and services, customer clearance, financial instruments and foreign exchange.

j. Collect and exchange information and conduct joint negotiations with STEs regarding contractual terms for export sales.

Definitions

1. ''Member'' means a person who has membership in U.S. Leaf Tobacco Exporters, L.L.C. and who has been certified as a ''Member'' within the meaning of Section 325.2(1) of the Regulations.

Dated: March 25, 1996.

W. Dawn Busby,

Director, Office of Export Trading Company Affairs.

Attachment I

Universal Leaf Subsidiaries

Universal Leaf Tobacco Company, Incorporated, Richmond, VA
Virginia Tobacco Company, Incorporated, Richmond, VA
Virsa Incorporated, Richmond, VA
Winston Leaf Tobacco Company, Incorporated, Richmond, VA
Southern States Tobacco Company, Incorporated, Richmond, VA
Thorpe & Ricks, Inc., Richmond, VA
Thorpe-Greenville Export Tobacco Company, Rocky Mount, NC
Thorpe-Ricks, Inc., Rocky Mount, NC
Southern Processors, Inc., Danville, VA
Danville Leaf Tobacco Company, Inc., Danville, VA
J.P. Taylor Company, Inc., Henderson, NC
Eastern Leaf Tobacco Company, Richmond, VA
K.R. Edwards Leaf Tobacco Company, Incorporated, Smithfield, NC
Southwestern Tobacco Company, Incorporated, Lexington, KY
W.H. Winstead Company, Inc., Richmond, VA

Tobacco Processors, Inc., Wilson, NC
R.P. Watson Company, Richmond, VA
Dunnington-Beach Tobacco, Incorporated, Farmville, VA

Standard Subsidiaries

Standard Commercial Tobacco Co. Inc., Wilson, NC
W A Adams Company, Wilson, NC

Dimon Subsidiaries

A.C. Monk & Company, Inc., Farmville, NC
The Austin Company, Incorporated, Kinston, NC
T.S. Ragsdale Company, Inc., Lake City, NC
Dibrell Brothers Tobacco USA, Inc., Danville, Va
Carolina Leaf Tobacco Company, Inc., Greenville, NC
Dimon International, A.G., Basel, Switzerland
Dibrell Carolina Far Eastern Corp., Greenville, NC
Dimon Asia on behalf of Dimon International, Inc., Farmville, NC

Intabex Subsidiaries (Parent Company of Unitob Inc.)

China American Tobacco Co., Greenville, NC
Intabex-Hail & Cotton International Co., Greenville, NC

[FR Doc. 96–7614 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–DR–P

National Oceanic and Atmospheric Administration

Evaluation of Coastal Zone Management Program and National Estuarine Research Reserves

AGENCY: Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), DOC.

ACTION: Notice of intent to evaluate.

SUMMARY: The NOAA Office of Ocean and Coastal Resource Management (OCRM) announces its intent to evaluate the performance of the Narragansett Bay (RI) and Delaware National Estuarine Research Reserve Programs.

These evaluations will be conducted pursuant to sections 312 and 315 of the Coastal Zone Management Act of 1972 (CZMA), as amended. The CZMA requires a continuing review of the performance of states with respect to coastal program implementation and reserve management. Evaluation of Coastal Zone Management Programs and National Estuarine Research Reserves requires findings concerning the extent to which a state has met the national objectives, adhered to its coastal program document or reserve Management Plan approved by the Secretary of Commerce, and adhered to the terms of financial assistance awards funded under the CZMA. The evaluations will include a site visit, consideration of public comments, and consultations with interested Federal, State, and local agencies and members of the public. Public meetings are held as part of the site visits.

Notice is hereby given of the dates of the site visits for the listed evaluations, and the dates, local times, and locations of public meetings during the site visits.

The Narragansett Bay National Estuarine Research Reserve, Rhode Island, site visit will be from May 13–17, 1996. A public meeting will be held on Wednesday, May 15, 1996, at 9:00 A.M., at the Reserve Field Station, 55 South Reserve Drive, South Prudence, Rhode Island 02872.

The Delaware National Estuarine Research Reserve site visit will be from May 20–24, 1996. A public meeting will be held on Wednesday, May 22, 1996, at 7:00 P.M., at the Department of Natural Resources and Environmental Control Auditorium, Richardson and Robins Building, 89 Kings Highway, Dover, Delaware.

The States will issue notice of the public meeting(s) in a local newspaper(s) at least 45 days prior to the public meeting(s), and will issue other timely notices as appropriate.

Copies of the State's most recent performance reports, as well as OCRM's notifications and supplemental request letters to the States, are available upon request from OCRM. Written comments from interested parties regarding these Programs are encouraged and will be accepted until 15 days after the public meeting. Please direct written comments to Vickie A. Allin, Chief, Policy Coordination Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910. When the evaluation is completed, OCRM will place a notice in the Federal Register announcing the availability of the Final Evaluation Findings.

FOR FURTHER INFORMATION CONTACT: Vickie A. Allin, Chief, Policy Coordination Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910, (301) 713–3090, ext. 126.

Federal Domestic Assistance Catalog 11.419, Coastal Zone Management Program Administration.

Dated: March 18, 1996.

W. Stanley Wilson,

Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 96–7633 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–08–M

[I.D. 032196C]

Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council's (Council) Pacific Whiting Allocation Committee will hold a public meeting.

DATES: The meeting will be held on April 2, beginning at 1 p.m. and may go into the evening until business for the day is completed, and on April 3 from 8 a.m. until 5 p.m.

ADDRESSES: The meeting will be held at the Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: Jim Glock, Groundfish Fishery Management Coordinator; telephone: (503) 326–6352.

SUPPLEMENTARY INFORMATION: The Council appointed this committee to negotiate an agreement for management of the Pacific whiting fishery beginning in 1997. This is expected to be the final meeting of this committee. The committee will continue to work towards narrowing the alternatives and achieving consensus on a single proposal.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Eric W. Greene at (503) 326–6352 at least 5 days prior to the meeting date.

Dated: March 22, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–7658 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–22–F

National Weather Service Modernization and Associated Restructuring

AGENCY: National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice and Opportunity for Public Comment.

SUMMARY: The National Weather Service (NWS) is publishing proposed certifications for the proposed consolidations of:

(1) Residual Indianapolis Weather Service Office (RWSO) into the future Indianapolis WFO;

(2) Dubuque Weather Service Office (WSO) into the future Quad Cities and Milwaukee Weather Forecast Offices (WFOs);

(3) Allentown WSO into the future Philadelphia, Central Pennsylvania and Binghamton WFOs;

(4) Beckley WSO into the future Charleston and Roanoke WFOs;

(5) Bridgeport WSO into the future New York City WFO;

(6) Residual Charleston, WV WSO into the future Charleston, WV WFO;

(7) Elkins WSO into the future Charleston, WV, Pittsburgh and Baltimore, MD/Washington, DC WFOs;

(8) Huntington WSO into the future Charleston, WV and Cincinnati WFOs;

(9) Wilkes-Barre WSO into the future Binghamton and Central Pennsylvania WFOs;

(10) Residual Atlanta WSO into the future Atlanta WFO;

(11) Bakersfield WSO into the future San Joaquin Valley WFO; and

(12) Residual Las Vegas WSO into the future Las Vegas WFO.

In accordance with Public Law 102–567, the public will have 60-days in which to comment on these proposed consolidation certifications.

DATES: Comments are requested by May 28, 1996.

ADDRESSES: Requests for copies of the proposed consolidation packages should be sent to Janet Gilmer, Room 12316, 1325 East-West Highway, Silver Spring, MD 20910, telephone 301–713–0276. All comments should be sent to Janet Gilmer at the above address.

FOR FURTHER INFORMATION CONTACT: Julie Scanlon at 301–713–1413.

SUPPLEMENTARY INFORMATION: NWS anticipates consolidating:

(1) the Residual Indianapolis Weather Service Office (RWSO) with the future Indianapolis WFO;

(2) the Dubuque Weather Service Office (WSO) with the future Quad Cities and Milwaukee Weather Forecast Offices (WFOs);

(3) the Allentown WSO with the future Philadelphia, Central Pennsylvania and Binghamton WFOs;

(4) the Beckley WSO with the future Charleston and Roanoke WFOs;

(5) the Bridgeport WSO with the future New York City WFO;

(6) the Residual Charleston, WV WSO with the future Charleston, WV WFO;

(7) the Elkins WSO with the future Charleston, WV, Pittsburgh and Baltimore, MD/Washington, DC WFOs;

(8) the Huntington WSO with the future Charleston, WV and Cincinnati WFOs;

(9) the Wilkes-Barre WSO with the future Binghamton and Central Pennsylvania WFOs;

(10) the Residual Atlanta WSO with the future Atlanta WFO;

(11) the Bakersfield WSO with the future San Joaquin Valley WFO; and

(12) the Residual Las Vegas WSO with the future Las Vegas WFO.

In accordance with section 706 of Pub. Law 102–567, the Secretary of Commerce must certify that these consolidations will not result in any degradation of service to the affected areas of responsibility and must publish the proposed consolidation certifications in the FR. The documentation supporting each proposed certification includes the following:

(1) a draft memorandum by the meteorologist-in-charge recommending the certification, the final of which will be endorsed by the Regional Director and the Assistant Administrator of the NWS if appropriate, after consideration of public comments and completion of consultation with the Modernization Transition Committee (the Committee);

(2) a description of local weather characteristics and weather-related concerns which affect the weather services provided within the service area;

(3) a comparison of the services provided within the service area and the services to be provided after such action;

(4) a description of any recent or expected modernization of NWS operation which will enhance services in the service area;

(5) an identification of any area within the affected service area which would not receive coverage (at an elevation of 10,000 feet) by the next generation weather radar network;

(6) evidence, based upon operational demonstration of modernized NWS operations, which was considered in reaching the conclusion that no degradation in service will result from such action including the WSR–88D Radar Commissioning Report(s), User Confirmation of Services Report(s), and the Decommissioning Readiness Report (as applicable); and

(7) a letter appointing the liaison officer.

These proposed certifications do not include any report of the Committee which could be submitted in accordance with sections 706(b)(6) and 707(c) of Pub. Law 102–567. At their December 14, 1995 meeting the members ''* * * resolved that the MTC modify its procedure to eliminate proposed certification consultations of noncontroversial closings, consolidations, relocations, and automation certifications but will provide final consultation on certifications after public comment and before final submission to the Secretary of Commerce.''

Documentation supporting the proposed certifications is too voluminous to publish in its entirety. Copies of the supporting documentation can be obtained through the contact listed above.

Attached to this Notice are draft memoranda by the respective meteorologists-in-charge recommending the certifications.

Once all public comments have been received and considered, the NWS will complete consultation with the Committee and determine whether to proceed with the final certifications. If decisions to certify are made, the Secretary of Commerce must publish the final certifications in the FR and transmit the certifications to the appropriate Congressional committees prior to consolidating the offices.

Dated: March 22, 1996.

Elbert W. Friday, Jr.,

Assistant Administrator for Weather Services.

6900 West Hanna Avenue
Indianapolis, IN 46241–9526
February 12, 1996.

Memorandum For: Richard P. Augulis, Director, Central Region

From: John T. Curran, MIC NWSFO Indianapolis

Subject:

Recommendation for Consolidation Certification

In August 1993 a change of operations occurred when most personnel and most services provided by the WSFO at Indianapolis International Airport were transferred 1.5 miles southwest to the future WFO site in Indianapolis, Indiana. At that time a Residual Weather Service Office (RWSO) was left at the airport to continue the surface and radar observational programs. Since that time the Indianapolis International Airport ASOS has been commissioned and the WSR–74C radar has been decommissioned.

After reviewing the attached documentation, I have determined, in my professional judgement, that consolidation of the Indianapolis Residual Weather Service Office (RWSO) with the future Indianapolis Weather Forecast Office (WFO) in Indianapolis will not result in any degradation in weather services to the Indianapolis service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary of Commerce for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the pre-modernized Indianapolis service area is included as attachment A. As discussed below, I find that providing the service which addresses these characteristics and concerns from the future Indianapolis WFO will not degrade these services.

2. A list of services currently provided from the Indianapolis RWSO and a list of comparable services to be provided from the future Indianapolis WFO location after consolidation is included as attachment B. Comparison of these lists shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the pre-modernized WSFO Indianapolis area of responsibility (i.e. ''affected service area'') and the future WFO Indianapolis area of responsibility. As discussed below, I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSFO Indianapolis service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing the planned NEXRAD coverage at an elevation of 10,000 feet for Indiana is included as attachment D. NWS operational radar coverage for the Indianapolis service area will be increased, and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of services:

A. The WSR–88D Radar Commissioning Report, attachment E, validates that the WSR–88D meets technical specifications (acceptance test); is fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services, attachment F, documents that all comments have been answered to the satisfaction of the commentors as stated in the Service Confirmation Report. One of the commentors was concerned about inaccurate radar observations (ROBs) and substantial false echo returns. We have discussed these concerns with those people and they are satisfied the NWS is working toward a solution. An emergency management agency responded negatively regarding the availability of an 800 phone line. An 800 phone line is available to all emergency management in the Indianapolis service area. Another emergency management official responded negatively regarding the wording of our products and specifically mentioning his county seat. We informed him we would specifically mention his county seat whenever we can, if appropriate. Two other responses were for informational purposes. We provided these individuals the information they desired.

C. The Decommissioning Readiness Report, attachment G, verifies that the existing WSR–74C radar is no longer needed to support services or products for local office operations.

6. A memorandum assigning the liaison officer for the Indianapolis service area is included as attachment H.

I have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On __________________, the Committee voted to endorse the proposed consolidation (attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

Endorsement

I, Richard P. Augulis, Director, Central Region, endorse this consolidation certification.

Richard P. Augulis

Date

Memorandum For: Richard P. Augulis, Director, Central Region
From: Charles T. Fenley, MIC, NWSO Quad Cities, IA; Kenneth R. Rizzo, MIC, NWSFO Milwaukee, WI
Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, we have determined, in our professional judgment, consolidation of the Dubuque, Iowa Weather Service Office (WSO) with the future Quad Cities (Davenport, Iowa) and Milwaukee (Dousman, Wisconsin) Weather Forecast Offices (WFOs) will not result in any degradation in weather services to the Dubuque, Iowa, service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, we are recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward certification to the Secretary for approval and transmittal to Congress.

Our recommendation is based on our review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided to the pre-modernized Dubuque, Iowa, service area is included as Attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Quad Cities (Davenport, Iowa) and Milwaukee (Dousman, Wisconsin) WFOs will not degrade these services.

2. A detailed list of the services currently provided within the Dubuque, Iowa, service area from the Dubuque, Iowa WSO location and a list of services to be provided from the future Quad Cities (Davenport, Iowa) and Milwaukee (Dousman, Wisconsin) WFOs locations after the proposed consolidation is included as Attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO Dubuque, Iowa Area of Responsibility (i.e. ''Affected Service Area'') and the future Quad Cities (Davenport, Iowa) WFO Area of Responsibility. As discussed below, we find that there will be no degradation in the quality of those services as a result of consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO Dubuque, Iowa, service area is included as Attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed, and will enhance services.

4. A map showing planned NEXARD coverage at an elevation of 10,000 feet for northeast Iowa, southwest Wisconsin and northwest Illinois is included as Attachment D. NWS operation radar coverage for the WSO Dubuque, Iowa, service area will be increased and no area will be missed in coverate.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D Radar Commissioning Reports from the Quad Cities (Davenport, Iowa) and Milwaukee (Dousman, Wisconsin) future WFOs, Attachment E, validates that the WSR–88Ds meet technical specifications (acceptance test); are fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from the Quad Cities (Davenport, Iowa) and

Milwaukee, Wisconsin (Dousman, Wisconsin, Attachment F, document that no negative comments were received from the Quad Cities service area. Only one negative comment was received from the Milwaukee service area and it was answered to the satisfaction of the commentor.

C. The Decommissioning Readiness Report, Attachment G, verifies that the old WSR–74C radar at Moline, Illinois is no longer needed to support services or products for local operations.

6. A memorandum assigning the liaison officer for the Dubuque, Iowa service area is included as Attachment H.

We have considered recommendations of the Modernization Transition Committee (Attachment I) and the ___________ public comments received during the comment period (Attachment J). On ___________, the Committee voted to endorse the proposed consolidation (Attachment K). We believe all negative comments have been addressed to the satisfaction of our customers and we continue to recommend certification.

Endorsement

I, Richard P. Augulis, Director, Central Region, endorse this consolidation certification.

____

Richard P. Augulis

____

Date

Attachments

Memorandum For: W/ER—John T. Forsing
From: G.C. Henricksen, AM/MIC NWSFO Philadelphia, PA; Bruce Budd, MIC NWSO Central Pennsylvania, PA; Peter R. Ahnert, MIC NWSO Binghamton, NY
Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, we have determined, in our professional judgment, consolidation of the Allentown Weather Service Office (WSO ABE) with the future Philadelphia, Central Pennsylvania and Binghamton Weather Forecast Offices (WFOs) will not result in any degradation in weather services to the Allentown service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, we are recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

Our recommendation is based on our review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Allentown service area is included as attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Philadelphia, Central Pennsylvania, and Binghamton WFOs, will not degrade these services.

2. A detailed list of the services currently provided within the Allentown service area from the WSO ABE location and list of services to be provided from the future Philadelphia, Central Pennsylvania, and Binghamton WFO locations after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO ABE Area of Responsibility (i.e. ''Affected Service Area'') and the future WFO Philadelphia Area of Responsibility. As discussed below, we find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO ABE service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for Pennsylvania and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Allentown service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. the WSR–88D RADAR Commissioning Reports from the Philadelphia, Central Pennsylvania, and Binghamton areas, attachment E, validate that the WSR–88Ds meet technical specifications (acceptance test); are fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from the future Philadelphia, Central Pennsylvania, and Binghamton WFO areas, attachment F, document that a total of five comments required follow-up. All negative comments have been answered to the satisfaction of the users as reflected in the report.

C. The Decommissionary Readiness Report, attachment G, is not necessary as WSO ABE does not have a radar.

6. A memorandum assigning the liaison officer for the Allentown service area is included at attachment H.

We have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On ___________________, the Committee voted to endorse the proposed consolidation (attachment K). We believe all negative comments have been addressed to the satisfaction of our customers and we continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

____

John T. Forsing

____

Date

Attachments

Memorandum For: W/ER—John T. Forsing
From: Alan Rezek, AM/MIC NWSFO Charleston, WV; John Wright, MIC MWSO Roanoke, VA
Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, we have determined, in our professional judgment, consolidation of the Beckley Weather Service Office (WSO BKW) with the future Charleston and Roanoke Weather Forecast Offices (WFOs) will not result in any degradation in weather services to the Beckley service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, we are recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

Our recommendation is based on our review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Beckley service area is included as attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Charleston and Roanoke WFOs, will not degrade these services.

2. A detailed list of the services currently provided within the Beckley service area from the WSO BKW location and list of services to be provided from the future Charleston and Roanoke WFO locations after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO BKW Area of Responsibility (i.e. ''Affected Service Area'') and the future WFO Charleston Area of Responsibility. As discussed below, we find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO BKW service area is included as attachment C. The new

technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for West Virginia and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Beckley service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D RADAR Commissioning Reports from the Charleston and Roanoke areas, attachment E, validate that the WSR–88Ds meet technical specifications (acceptance test); area fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from the future Charleston and Roanoke WFO areas, attachment F, document that a total of eleven comments required follow-up. All negative comments have been answered to the satisfaction of the users as reflected in the report.

C. The Decommissioning Readiness Report, attachment G, verifies that the existing Beckley local warning radar, WSR–74C, is no longer needed to support services or products for local office operations.

6. A memorandum assigned the liaison officer for the Beckley service area is included at attachment H.

We have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On _________________, the Committee voted to endorse the proposed consolidation (attachment K). We believe all negative comments have been addressed to the satisfaction of our customers and we continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

John T. Forsing

Date

Attachments

Memorandum For: W/ER—John T. Forsing
From: Michael E. Wyllie, AM/MIC NWSFO New York City
Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, I have determined, in my professional judgment, consolidation of the Bridgeport Weather Service Office (WSO BDR) with the future New York City Weather Forecast Office (WFO) will not result in any degradation in weather services to the Bridgeport service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Bridgeport service area is included as attachment A. As discussed below, I find that providing the services which address these characteristics and concerns from the future New York City WFO will not degrade these services.

2. A detailed list of the services currently provided within the Bridgeport service area from the WSO BDR location and a list of services to be provided from the future New York City WFO locations after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO BDR Area of Responsibility (i.e. ''Affected Service Area'') and the future WFO New York city Area of Responsibility. As discussed below, I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO BDR service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for Connecticut and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Bridgeport service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D RADAR Commissioning Report from New York City, attachment E validate that the WSR–88Ds meet technical specifications (acceptance test); are fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from New York City, attachment F, document that three negative comments were received. All negative comments have been answered to the satisfaction of the users as reflected in the reports.

C. The Decommissioning Readiness Report, attachment G, is not necessary as WSO BDR does not have a radar.

6. A memorandum assigning the liaison officer for the Bridgeport service area is included at attachment H.

I have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On ___________________, the Committee voted to endorse the proposed consolidation (attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

John T. Forsing

Date

Attachments

Memorandum for: W/ER—John T. Forsing
From: Alan Rezek, AM/MIC NWSFO Charleston, WV; Kenneth Haydu, MIC NWSO Cincinnati, OH
Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, we have determined, in our professional judgement, consolidation of the Huntington Weather Service Office (WSO HTS) with the future Charleston and Cincinnati Weather Forecast Offices (WFOs) will not result in any degradation in weather services to the Huntington service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, we are recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

Our recommendation is based on our review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Huntington service area is included as attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Charleston and Cincinnati WFOs, will not degrade these services.

2. A detailed list of the services currently provided within the Huntington service area

from the WSO HTS location and list of services to be provided from the future Charleston and Cincinnati WFO locations after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO HTS Area of Responsibility (i.e. ''Affected Service Area'') and the future WFO Charleston Area of Responsibility. As discussed below, we find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO HTS service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for West Virginia and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Huntington service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D RADAR Commissioning Reports from the Charleston and Cincinnati areas, attachment E, validate that the WSR–88Ds meet technical specifications (acceptance test); are fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from the future Charleston and Cincinnati WFO areas, attachment F, document that a total of eight comments required follow-up. All negative comments have been answered to the satisfaction of the users as reflected in the report.

C. The Decommissioning Readiness Report, attachment G, is not necessary as WSO HTS does not have a radar.

6. A memorandum assigning the liaison officer for the Huntington service area is included at attachment H.

We have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On ___________________, the Committee voted to endorse the proposed consolidation (attachment K). We believe all negative comments have been addressed to the satisfaction of our customers and we continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

____

John T. Forsing

____

Date

Attachments

Memorandum For: W/ER—John T. Forsing

From: Alan Rezek, AM/MIC NWSFO Charleston, WV; Theresa Rossi, AM/MIC NWSFO Pittsburgh, PA; James Travers, AM/MIC NWSFO Baltimore, MD/Washington DC

Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, we have determined, in our professional judgment, consolidation of the Elkins Weather Service Office (WSO EKN) with the future Charleston, Baltimore, MD/Washington DC and Pittsburgh Weather Forecast Offices (WFOs) will not result in any degradation in weather services to the Elkins service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, we are recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

Our recommendation is based on our review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Elkins service area is included as attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Charleston, Baltimore, MD/Washington DC and Pittsburgh WFOs, will not degrade these services.

2. A detailed list of the services currently provided within the Elkins service area from the WSO BKW location and list of services to be provided from the future Charleston, Baltimore, MD/Washington DC and Pittsburgh WFO locations after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO EKN Area of Responsibility (i.e. ''Affected Service Area'') and the future WFO Charleston Area of Responsibility. As discussed below, we find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO EKN service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for West Virginia and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Elkins service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D RADAR Commissioning Reports from the Charleston, Baltimore, MD/Washington DC and Pittsburgh areas, attachment E, validate that the WSR–88Ds meet technical specifications (acceptance test); area fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from the future Charleston, Baltimore, MD/Washington DC and Pittsburgh WFO areas, attachment F, document that a total of ten comments required follow-up. All negative comments have been answered to the satisfaction of the users as reflected in the report.

C. The Decommissioning Readiness Report, attachment G, is not necessary since WSO EKN does not have a radar.

6. A memorandum assigned the liaison officer for the Elkins service area is included at attachment H.

We have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On _________________, the Committee voted to endorse the proposed consolidation (attachment K). We believe all negative comments have been addressed to the satisfaction of our customers and we continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

____

John T. Forsing

____

Date

Attachments

Memorandum For: W/ER—John T. Forsing

From: Alan Rezek, AM/MIC NWSFO Charleston, WV

Subject: Recommendation for Consolidation Certification

A change of operations occurred at the Charleston Weather Service Forecast Office (WSFO), located at Yeager Airport, in May 1995 when most personnel were transferred to the facility of the future Charleston Area Weather Forecast Office (WFO) in Ruthdale, WV to operate the WSR–88D and assume forecast and warning responsibility for the Charleston service area. At the same time the Yeager Airport (CRW) location was designated a Residual Weather Service Office (RWSO) to continue operating the existing WSR–74S radar and taking surface airways observations.

After reviewing the attached documentation, I have determined, in my professional judgment, consolidation of the RWSO CRW with the future Charleston Area Weather Forecast Offices (WFO) will not result in any degradation in weather services to the Charleston service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Charleston service area is included as attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Charleston Area WFO will not degrade these services.

2. A detailed list of the services currently provided within the Charleston service area from the RWSO CRW location and a list of services to be provided from the future Charleston WFO location after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the RWSO CRW Area of Responsibility (i.e., ''Affected Service Area'') and the future WFO Charleston Area of Responsibility. As discussed below, I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the RSWO CRW service area is included as attachment C. The new technology (i.e., ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for West Virginia and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Charleston service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D RADAR Commissioning Reports from the Charleston area, attachment E, validate that the WSR–88Ds meet technical specifications (acceptance test); are fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from Charleston, attachment F, document that four negative comments were received. All negative comments have been answered to the satisfaction of the users as reflected in the report.

C. The Decommissioning Readiness Report, attachment G, verifies that the existing Charleston WSR–74S radar is no longer needed to support services or products for local office operations.

6. A memorandum assigned the liaison officer for the Charleston service area is included at attachment H.

I have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On _________________, the Committee voted to endorse the proposed consolidation (attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

John T. Forsing

Date

Attachments

Memorandum For: W/ER—John T. Forsing
From: Peter Ahnert, MIC NWSO Binghamton, NY; Bruce Budd, MIC NWSO Central Pennsylvania, PA
Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, we have determined, in our professional judgment, consolidation of the Wilkes-Barre Weather Service Office (WSO BKW) with the future Binghamton and Central Pennsylvania Weather Forecast Offices (WFOs) will not result in any degradation in weather services to the Wilkes-Barre service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, we are recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

Our recommendation is based on our review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Wilkes-Barre service area is included as attachment A. As discussed below, we find that providing the services which address these characteristics and concerns from the future Binghamton and Central Pennsylvania WFOs, will not degrade these services.

2. A detailed list of the services currently provided within the Wilkes-Barre service area from the WSO BKW location and list of services to be provided from the future Binghamton and Central Pennsylvania WFO locations after the proposed consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO AVP Area of Responsibility (i.e. ''Affected Service Area'') and the future WFO Binghamton Area of Responsibility. As discussed below, we find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO AVP service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for Pennsylvania and portions of surrounding areas is included as attachment D. NWS operational radar coverage for the Wilkes-Barre service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service:

A. The WSR–88D RADAR Commissioning Reports from the Binghamton and Central Pennsylvania areas, attachment E, validate that the WSR–88Ds meet technical specifications (acceptance test); are fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services from the future Binghamton and Central Pennsylvania WFO areas, attachment F, document that a total of eleven comments required follow-up. All negative comments have been answered to the satisfaction of the users as reflected in the report.

C. The Decommissioning Readiness Report, attachment G, is not necessary as WSO AVP does not have a radar.

6. A memorandum assigning the liaison officer for the Wilkes-Barre service area is included at attachment H.

We have considered recommendations of the Modernization Transition Committee (attachment I) and the ___________ public comments received during the comment period (attachment J). On _________________, the Committee voted to endorse the proposed consolidation (attachment K). We believe all negative comments have been addressed to the satisfaction of our customers and we continue to recommend this certification.

Endorsement

I, John T. Forsing, Director, Eastern Region, endorse this consolidation certification.

____

John T. Forsing

____

Date

Attachments

Four Falcon Drive
Peachtree City, GA 30269
(date)

Memorandum For: Harry S. Hassel, Director, Southern Region

From: Carlos Garza, Jr., AM/MIC NWSFO Atlanta, GA

Subject: Recommendation for Consolidation Certification

A change of operations occurred at the Atlanta Weather Service Forecast Office (WSFO) in April 1994, when most personnel were transferred to the facility of the future Atlanta Weather Forecast Office (WFO) in Peachtree City, Georgia, to operate the WSR–88D and assume forecast and warning responsibility for the Atlanta service area. The office at the original WSFO location was designated a Residual Weather Service Office (RWSO) and continued to be the site for recording surface observations and operating the WSR–74C.

Based on the attached documentation and my professional judgment, I have determined that consolidation of the RWSO Altanta with the future WFO Atlanta will not result in any degradation in weather services to the Atlanta service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending that you approve this action in accordance with Section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary of Commerce for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Atlanta service area is included as Attachment A. As discussed below, I find that providing the services from WFO Atlanta which address these characteristics and concerns will not degrade these services.

2. A detailed list of services currently provided within the Atlanta service area from the RWSO Atlanta location and a list of services to be provided from the WFO Atlanta location after consolidation is included in Attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. The enclosed map shows the old Atlanta area of responsibility (i.e., ‘‘affected service area’’) and the new future WFO Atlanta area of responsibility. As discussed below, I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the Atlanta service area is included as Attachment C. The new technology (i.e., ASOS, WSR–88D, and AWIPS) has or will be installed and will enhance services.

4. A map showing planned WSR–88D radar coverage at an elevation of 10,000 feet over Georgia is included as Attachment D. NWS operational radar coverage for the specific service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service.

a. The WSR–88D Radar Commissioning Report, Attachment E, validates that the WSR–88D meets technical specifications (acceptance test) and is fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services), service back-up capabilities are functioning properly, and a full set of operations and maintenance documentation is available, and spare parts and test equipment and trained operations and maintenance personnel are available on site. Two national work-arounds remain in effect.

b. The User Confirmation of Services, Attachment F, documents that no negative comments were received. Additional calls were made to weathercasters in the Atlanta metropolitan area to make sure that services continue to conform to national guidelines. All comments expressed satisfaction with our services as stated in the Service Confirmation Report.

c. The Decommissioning Readiness Report, Attachment G, verifies that the existing Atlanta WSR–74C radar is no longer needed to support services or products for local office operations.

6. A memorandum assigning the liaison officer for the Atlanta service area is included as Attachment H.

I have considered recommendations of the Modernization Transition Committee (Attachment I) and the ___________ public comments received during the comment period (Attachment J). On ___________, the Committee voted to endorse the proposed consolidation (Attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

Endorsement

I, Harry S. Hassel, Director, Southern Region, endorse this consolidation certification.

____

Harry S. Hassel

____

Date

Attachments

900 Foggy Bottom Road, Hanford, CA 93230–5236

February 7, 1996.

Memorandum for: W/WR—Thomas D. Potter, Director, Western Region

From: Steven W. Mendenhall, MIC, NWSO San Joaquin Valley, CA

Subject: Recommendation for Consolidation Certification

After reviewing the attached documentation, I have determined, in my professional judgement, consolidation of the Bakersfield Weather Service Office (WSO) with the future San Joaquin Valley Weather Forecast Office (WFO) will not result in any degradation in weather services to the Bakersfield service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Bakersfield service area is included as attachment A. As discussed below, I find that providing the services which address these characteristics and concerns from the future San Joaquin Valley WFO will not degrade these services.

2. A detailed list of the services currently provided within the Bakersfield service area from the Bakersfield WSO location and a list of services to be provided from the future San Joaquin Valley WFO after consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO Bakersfield Area of Responsibility (i.e. ‘‘Affected Service Area’’), and the future WFO San Joaquin Valley Area of Responsibility. As discussed below, I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO Bakersfield service area is included as attachment C. The new technology (i.e. ASOS, WSR–88D, and

AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for California is included as attachment D. NWS operational radar coverage for the Bakersfield service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service.

A. The WSR–88D RADAR Commissioning Report, attachment E, validates that the WSR–88D meets technical specifications (acceptance test); is fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed, but one national workaround remains in effect.

B. The User Confirmation of Services, attachment F, documents that one negative comment was received, but did not impact the WSO Bakersfield service area. This negative comment was answered to the satisfaction of the commentor, as stated in the User Confirmation of Services Report.

C. The Decommissioning Readiness Report, attachment G, is not needed as there is no radar to decommission at Bakersfield.

6. A memorandum assigning the liaison officer for the Bakersfield service area is included as attachment H.

I have considered recommendations of the Modernization Transition Committee (Committee) (attachment I) and the ___________ public comments received during the comment period (attachment J). On ___________________ the Committee voted to endorse the proposed consolidation (attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

Endorsement

I, Thomas D. Potter, Director, Western Region, endorse this consolidation certification.

Thomas D. Potter

Date

Attachments

Memorandum For: Thomas D. Potter, Director, Western Region

From: Larry Jensen, MIC, NWSO Las Vegas, NV

Subject: Recommendation for Consolidation Certification

A change of operations occurred at the Las Vegas Weather Service Office (WSO) in March 1995. During this month, most personnel were transferred to the new facility of the future Las Vegas Weather Forecast Office (WFO) in Las Vegas, Nevada to operate the WSR–88D, and assume forecast and warning responsibility for the Las Vegas service area. At that same time, the original WSO office was designated a Residual Weather Service Office (RWSO) to continue operating the WSR–74C.

After reviewing the attached documentation, I have determined, in my professional judgment, consolidation of the Las Vegas Residual Weather Service Office (RWSO) with the future Las Vegas Weather Forecast Office (WFO) will not result in any degradation in weather services to the Las Vegas service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending you approve this action in accordance with section 706 of Public Law 102–567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Las Vegas service area is included as attachment A. As discussed below, I find that providing the services which address these characteristics and concerns from the future Las Vegas WFO will not degrade these services.

2. A detailed list of the services currently provided within the Las Vegas service area from the Las Vegas WSO location and a list of services to be provided from the future Las Vegas WFO after consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclose map shows the WSO Las Vegas Area of Responsibility (i.e. ‘‘Affected Service Area’’) and the future WFO Las Vegas Area of Responsibility.

Endorsement

I, Thomas D. Potter, Director, Western Region, endorse this consolidation certification.

Thomas D. Potter

Date

Attachments

[FR Doc. 96–7657 Filed 3–28–96; 8:45 am]

BILLING CODE 3510–12–M

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Additions to Procurement List.

SUMMARY: The Committee has received proposals to add to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: April 29, 1996.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603–7740.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities. I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodities and services.

3. The action will result in authorizing small entities to furnish the commodities and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O’Day Act (41 U.S.C. 46–48c) in connection with the commodities and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities and services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Commodities

Pad, Energy Dissipating
1670–00–753–3928
NPA: Tarrant County Association for the Blind, Fort Worth, Texas
Strap, Shoring Assembly
5340–03–000–9382
5340–03–000–9383
5340–03–000–9384
5340–03–000–9385
NPA: Mississippi Industries for the Blind, Jackson, Mississippi
Tape, Pressure-Sensitive Adhesive
7510–00–680–2395
7510–00–680–2450
7510–00–680–2470
7510–00–680–2471
7510–00–680–8784
7510–00–680–4963
NPA: Cincinnati Association for the Blind, Cincinnati, Ohio

Services

Janitorial/Custodial, Basewide (excluding Sijan Hall, Vandenberg Hall, Fairchild Hall, Harmon Hall and the Cadet Chapel), U.S. Air Force Academy, Colorado
NPA: Goodwill Industrial Services Corporation, Colorado Springs, Colorado
Janitorial/Custodial, Federal Bureau of Investigation Headquarters Building, 10th & Pennsylvania Avenue, NW., Washington, DC
NPA: Melwood Horticultural Training Center, Upper Marlboro, Maryland
Janitorial/Custodial, Defense National Stockpile Depot, Amsterdam Avenue, Scotia, New York
NPA: Schenectady County Chapter, NYSARC, Scotia, New York
Janitorial/Grounds Maintenance, Department of Energy, Western Area Power Administration, 114 Parkshore Drive, Folsom, California
NPA: PRIDE Industries, Roseville, California

E.R. Alley, Jr.,

Deputy Executive Director.

[FR Doc. 96–7752 Filed 3–28–96; 8:45 am]

BILLING CODE 6353–01–M

DEPARTMENT OF DEFENSE

Department of the Air Force

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, Department of Defense Medical Examination Review Board.

ACTION: Notice.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Department of Defense Medical Examination Review Board announces the proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on; (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by May 28, 1996.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to Department of Defense Medical Examination Review Board (DoDMERB), 8034 Edgerton Drive, Suite 132, USAF Academy CO 80840–2200, ATTN: CMSgt Darrell W. Cornett.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call DoDMERB at (719) 472–3560.

Title and Associated Forms: Medical Examination Review Board (DoDMERB) Report of Medical Examination, DD Forms 2351, 2370, 2372, 2374, 2375, 2378, 2379, 2380, 2381, 2382, 2383, 2480, 2489, and 2492.

Needs and Uses: The information collection requirement is necessary to determine the medical qualification of applicants to the five Service academies, the Four Year Reserve Officer Training Corps Scholarship Program, Uniformed Services University of the Health Sciences, and the Army, Navy, and Air Force Scholarship Program. The collection of medical history of each candidate is used to determine if applicants meet medical standards outlined in Department of Defense Directive 6130.3, Physical Standards for Appointment, Enlistment and Induction.

Affected Public: Individuals or Households.

Annual Burden Hours: 19,500.

Number of Respondents: 19,500.

Responses Per Respondent: 1.

Average Burden Per Response: 60 Minutes.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

Respondents are individuals who are interested in applying to attend one of the five Service academies, the Four year Reserve Officer Training Corps Scholarship Program, Uniformed Services University of the Health Sciences or Army, Navy, and Air Force Scholarship Programs. The completed form(s) is processed through medical reviewers representing their respective services to determine a medical qualification status. Associated forms may or may not be required depending on the medical information contained in the medical examination. If the medical examination and necessary associated forms are not accomplished, individuals reviewing the medical qualification status cannot be readily assured of the medical qualifications of the individual. Without this process the individual applying to any of these programs could not have the medical qualification determination essential to ensure compliance with the physical standards established for the respective military service program.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 96–7711 Filed 3–28–96; 8:45 am]

BILLING CODE 3910–01–M

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Department of Energy/Los Alamos National Laboratory

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Los Alamos National Laboratory.

DATES: Tuesday, April 9, 1996: 6:30 p.m.–9:30 p.m.; 9:00 p.m. to 9:30 p.m. (public comment session).

ADDRESSES: Pojoaque Pueblo Tribal Office Council Chambers, Rt. 11, Box 71, Santa Fe, New Mexico 87501, 505–455–2278.

FOR FURTHER INFORMATION CONTACT: Ms. Kimberly Roybal, Los Alamos National Laboratory Citizens' Advisory Board Support, Northern New Mexico Community College, 1002 Onate Street, Espanola, NM 87352, (800) 753–8970, or (505) 753–8970.

SUPPLEMENTARY INFORMATION: Purpose of the Board: The purpose of the Advisory Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda

Tuesday, April 9, 1996

6:30 p.m.—Call to Order and Welcome
7:00 p.m.—Work Plan Discussion
9:00 p.m.—Public Comment
9:30 p.m.—Adjourn

Public Participation: The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Ms. Lisa Roybal, at the telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E–190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585 between 9:00 a.m. and 4 p.m., Monday–Friday, except Federal holidays. Minutes will also be available by writing to Herman Le-Doux, Department of Energy, Los Alamos Area Office, 528 35th Street, Los Alamos, NM 87185–5400.

Issued at Washington, DC on March 25, 1996.

Rachel M. Samuel,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96–7740 Filed 3–28–96; 8:45 am]

BILLING CODE 6450–01–P

Eclipse Energy Systems Inc.

AGENCY: Department of Energy, Office of the General Counsel.

ACTION: Notice of Intent to Grant Exclusive Patent License.

SUMMARY: Notice is hereby given of an intent to grant to Eclipse Energy Systems Inc., of Tampa, FL, an exclusive license to practice the invention described in U.S. Patent No. 4,687,560, entitled ''Method of Synthesizing a Plurality of Reactants and Producing Thin Films of Electro-Optically Active Transition Metal Oxides.'' The invention is owned by the United States of America, as represented by the Department of Energy (DOE).

DATES: Written comments or nonexclusive license applications are to be received at the address listed below no later than May 28, 1996.

ADDRESSES: Office of Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

FOR FURTHER INFORMATION: Robert J. Marchick, Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, Forrestal Building, Room 6F–067, 1000 Independence Avenue, 20585; Telephone (202) 586–4792.

SUPPLEMENTARY INFORMATION: 35 U.S.C. 209(c) provides the Department with authority to grant exclusive licenses in Department-owned inventions, where a determination can be made, among other things, that the desired practical application of the invention has not been achieved, or is not likely expeditiously to be achieved, under a nonexclusive license. The statute and implementing regulations (37 C.F.R. 404) require that the necessary determinations be made after public notice and opportunity for filing written objections.

Eclipse Energy Systems Inc., of Tampa, FL, has applied for an exclusive license to practice the invention embodied in U.S. Patent No. 4,687,560, and has a plan for commercialization of the invention.

The exclusive license will be subject to a license and other rights retained by the U.S. Government, and other terms and conditions to be negotiated. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. 209(c), unless, within 60 days of this notice, the Assistant General Counsel for Technology Transfer and Intellectual Property, Department of Energy, Washington, DC 20585, receives in writing any of the following, together with supporting documents:

(i) A statement from any person setting forth reasons why it would not be in the best interests of the United States to grant the proposed license; or

(ii) An application for a nonexclusive license to the invention, in which applicant states that he already has brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

The Department will review all timely written responses to this notice, and will grant the license if, after consideration of written responses to this notice, a determination is made, that the license grant is in the public interest.

Issued in Washington, DC, on March 22, 1996.

Agnes P. Dover,

Deputy General Counsel.

March 21, 1996.

Action: Publication in Federal Register of Notice of Intent to Grant Exclusive Patent License (Re: U.S. Patent No. 4,687,560

Agnes P. Dover,

Deputy General Counsel for Technology Transfer and Procurement

Background and Discussion

35 U.S.C. 209(c) provides the Department with authority to grant exclusive or partially exclusive licenses in Department-owned inventions, where a determination can be made, among other things, that the desired practical application of the invention has not been achieved, or is not likely expeditiously to be achieved, under a nonexclusive license. The statute and implementing regulations require that the necessary determinations to be made after public notice and opportunity for filing written objections.

Eclipse Energy Systems, Inc., of Tampa, Florida, has applied for an exclusive license form commercial practice of U.S. Patent No. 4,687,560, entitled ''Method of Synthesizing a Plurality of Reactants and Producing Thin Films of Electro-Optically Active Transition Metal Oxides.'' A memorandum which more fully discusses the present license application is attached.

This Action Memorandum transmits for signature of the Deputy General Counsel and Publication in the Federal Register a notice of intent to grant an exclusive license to the named applicant. The notice provides for a 60-day period during which the public may bring forth information as to why the proposed exclusive license would not be in the public interest.

Recommendation

We recommend that the Deputy General Counsel sign and forward for publication the attached Federal Register notice of intent to grant an exclusive patent license.

Paul A. Gottlieb,

Assistant General Counsel for Technology Transfer and Intellectual Property.

[FR Doc. 96–7736 Filed 3–28–96; 8:45 am]

BILLING CODE 6450–01–P

Bonneville Power Administration

Policy on Excess Federal Power

AGENCY: Bonneville Power Administration (Bonneville), Department of Energy (DOE).

ACTION: Proposed policy and request for comment.

SUMMARY: As part of the 1996 Energy and Water Development Appropriations Act (Public Law 104–46 or P.L. 104–46), Congress passed legislation that provides new marketing authority to Bonneville. Section 508 (a) and (b) of

P.L. 104–46, provides the Administrator of Bonneville (the Administrator) new authority to market a category of surplus federal power called ''excess federal power'' without certain statutory restrictions. The Administrator's policy implementing this new marketing authority could potentially impact regional and out-of-region customers and other utilities. In the interests of a fair and workable policy, and to ensure the success of the new legislation, Bonneville seeks public comment on its proposed implementation policy.

DATES: Comments must be received by May 28, 1996.

ADDRESSES: Comments should be addressed to David J. Armstrong—MPF, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208–3621, phone number 503–230–3658, fax number 503–230–7568.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Section 508(a)(3) of P.L. 104–46 provides in general that the term ''excess federal power'' means such electric power that has become surplus to the firm contractual obligations of the Administrator under section 5(f) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c(f)) due to either: any reduction in the quantity of electric power that the Administrator is contractually required to supply under subsections (b) and (d) of section 5 of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c), due to the election by customers of the Bonneville Power Administration to purchase electric power from other suppliers, as compared to the quantity of electric power that the Administrator was contractually required to supply as of January 1, 1995; or those operations of the Federal Columbia River Power System that are primarily for the benefit of fish and wildlife affected by the development, operation, or management of the system.

Section 508(b) provides in general that notwithstanding section 2, subsections (a), (b), and (c) of section 3, and section 7 of P.L. 88–552 (16 U.S.C. 837a, 837b, and 837f), and section 9(c) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839f(c)), the Administrator may, as permitted by otherwise applicable law, sell or otherwise dispose of excess federal power: outside the Pacific Northwest on a firm basis for a contract term not to exceed 7 years, if the excess federal power is first offered for a reasonable period of time and under the same essential rate, terms and conditions to those Pacific Northwest public body, cooperative and investor-owned utilities and those direct service industrial customers identified in subsection (b) or (d)(1)(A) of section 5 of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c); and in any region without the prohibition on resale established by the second sentence of section 5(a) of the Act entitled ''An Act to Authorize the Completion, Maintenance, and Operation of the Bonneville Project for Navigation, and for Other Purposes,'' approved August 20, 1937 (commonly known as the ''Bonneville Project Act of 1937'') (16 U.S.C. 832d(a)).

In the conference report accompanying this new legislation,[1] Congress recognized that current Bonneville authorizing legislation severely limits the agency's flexibility to market federal power placing it at a marketing disadvantage and restricting potential revenues. In order to increase Bonneville's revenues and its competitiveness, Congress enacted this new legislation which removes some of those marketing restrictions from sales of excess federal power. Excess federal power is any power generated by routine power operations, or fish and wildlife operations of either the Federal Columbia River Power System or other electric power plants from which Bonneville is contractually obligated to acquire electric power and that is made surplus to the Administrator's firm requirements contractual obligations in two instances: (1) By requirements customers decisions to remove load from Bonneville; or (2) because of hydrosystem operations primarily for the benefit of fish and wildlife affected by the development, operation, or management of the system.

This excess federal power can be sold or otherwise disposed of outside the region for up to 7 years without the Regional Preference Act call back provisions upon 60-days notice for energy sales and 60-months notice for capacity sales.[2] This power also can be sold in any region without the Bonneville Project Act restriction on the resale of federal power by private entities not in the business of selling power in the retail market.[3] In addition, the existing requirement that Bonneville provide notice to existing regional customers is made more flexible for sales of excess federal power to reflect the current competitive market and the type of transaction. In all cases, however, Bonneville must first offer the excess federal power to regional customers for a reasonable period of time and under the same essential rate, terms and conditions as the proposed out-of-region sales.

It is Bonneville's preliminary view as a matter of policy that Bonneville should make retail sales outside the Pacific Northwest region to purchasers, other than preference customers and federal agencies, only where such sales are consistent with the state law that would apply if Bonneville were not a federal agency. Bonneville specifically seeks comment on this policy.

Process

This notice announces Bonneville's initiation of a procedure to establish policy on the implementation of the new marketing authority in P.L. 104–46. Bonneville is interested in and will take public comment on the attached proposed implementation policy. All comments should be submitted before May 28, 1996 to be considered prior to issuance of a final policy. Submit written comments to David J. Armstrong—MPF, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208–3621. Bonneville will conduct two public meetings, one in the Pacific Northwest region and one outside the region.[4] After close of the public comment period, Bonneville will evaluate all comments and issue a final implementation policy.

General Approach

Bonneville intends the scope of this policy making to be limited to the development of a policy necessary to implement the relevant provisions of P.L. 104–46; including processes and specific determinations required to be made of the amount of excess federal power as defined by this law, and how notice will be provided to Pacific Northwest customers of extraregional sales of excess federal power.

Bonneville believes that this proposal is fully consistent with the letter and intent of P.L. 104–46. In proposing interpretations of and processes for implementing P.L. 104–46, Bonneville is proposing those that result in the most efficient, simple, straight-forward, and administratively least-burdensome implementation of the law.

Determination of Excess Federal Power

Section 508(a)(3) of P.L. 104–46 defines excess federal power as federal

[1] H.R. 1905, Conf. Rep. No. 293, 104th Cong., 1st Sess. 94 (1995).

[2] The Act of August 31, 1964, Pub. L. No. 88–552, § 3 (a), (b), and (c), 78 Stat. 756 (1964).

[3] The Bonneville Project Act of 1937, Pub. L. No. 75–329, § 5(a), 50 Stat. 731 (1937).

[4] Additional public meetings may be held, if necessary.

power made surplus to the Administrator's firm contractual obligations under section 5(f) of the Northwest Power Act[5] in two instances. First, excess federal power includes reductions in the quantity of power the Administrator is contractually required to supply under sections 5(b) and 5(d) of the Northwest Power Act (5(b) and 5(d) obligations) because of elections by the Administrator's firm requirements customers, that is, Pacific Northwest public agency, federal agency, investor-owned utility, and direct service industry customers, to purchase power from other suppliers, as compared to the Administrator's 5(b) and 5(d) obligations as of January 1, 1995. Second, excess federal power is that power made excess due to operation of the federal hydrosystem, whether generated or purchased, primarily for the benefit of fish and wildlife affected by that system.

In order to implement this new marketing authority, Bonneville must make three determinations: (1) the amount of reductions in the Administrator's 5(b) and 5(d) obligations relative to those obligations as of January 1, 1995, which can further be broken into two findings: (a) The actual amount of the Administrator's 5(b) and 5(d) obligations as of January 1, 1995, and (b) a yearly forecast of the Administrator's current 5(b) and 5(d) obligations to serve Pacific Northwest firm requirements power loads; (2) the amount of excess power that results from operating the hydrosystem primarily for fish and wildlife; and (3) a process for making annual determinations of excess federal power.

1. Reductions in the Administrator's Firm Contractual Obligations Under 5(b) and 5(d) of the Northwest Power Act

(a) *5(b) and 5(d) Obligations as of January 1, 1995:* Bonneville's contractual obligations under sections 5(b) and 5(d) of the Northwest Power Act are comprised of and limited to the Administrator's sale of firm requirements power for consumer loads of public body, cooperative, federal agency customers, investor-owned utilities,[6] and for direct consumption by existing direct service industrial customers in the Pacific Northwest.[7] All other remaining firm contractual obligations are not sales of power for the general requirements of utility customers or direct service industrial customers and are not governed by sections 5(b) and 5(d) of the Northwest Power Act. Therefore these other sales are not included in this determination of the Administrator's contractual obligations as of January 1, 1995.

The Administrator's 5(b) and 5(d) obligations as of January 1, 1995, are the amounts based on the sum of the following calculations:

- *Actual and Planned Computed Requirements Customers:* Obligations for the actual and planned computed requirements customers[8] are the annual average of the customers' monthly energy requirements in average megawatts for calendar year 1994 submitted to Bonneville for the Pacific Northwest Coordination Agreement for operating years 1993–94 and 1994–95.
- *Metered Requirements Customers:* Obligations for the metered requirements customers[9] are the calendar year 1994 annual average firm energy sales in average megawatts to this customer class as reported in Bonneville's Generation and Power Sales Report.
- *Direct Service Industrial Customers:* Obligations for the direct service industrial customers are the annual average of the customers' monthly Operating Demands for calendar year 1994 submitted to and approved by Bonneville for contract years 1993–94 and 1994–95.
- *Regional Investor-Owned Utilities:* Obligations for the investor-owned utilities are the calendar year 1994 annual average sales under the New Resource Firm Power Rate in average megawatts to this customer class as reported in Bonneville's Generation and Power Sales Report.

Based on the above calculations, the Administrator's total 5(b) and 5(d) obligations as of January 1, 1995, were 8309 average megawatts. Consistent with P.L. 104–46, this amount will be the baseline for all annual calculations of excess federal power. This is a fixed determination and will not change once the final implementation policy is issued.

(b) *Current Contractual Obligations:* Each year Bonneville will determine the Administrator's current 5(b) and 5(d) contractual obligations based upon executed contracts. In order to accommodate power deliveries of up to 7 years, Bonneville will produce a 10-year annual average energy forecast of its current 5(b) and 5(d) obligations.

(c) *Reductions in Contractual Obligations:* Reductions in the Administrator's 5(b) and 5(d) obligations will be calculated in each annual determination of excess federal power. On an average annual energy (average megawatts) basis for each year of the 10-year forecast period, the reductions in 5(b) and 5(d) obligations will be the difference between the forecasted current obligation in that year and the Administrator's contractual obligation as of January 1, 1995, or 8309 average megawatts. In order to determine the amount of excess capacity available for marketing, Bonneville will calculate an average annual load factor based on its remaining 5(b) and 5(d) obligations. This load factor will be applied to the difference between the forecasted current obligations and the obligations as of January 1, 1995, to determine the amount of capacity in average megawatts which the Administrator may market as excess federal power.

2. *Fish and Wildlife Operations:* Bonneville has run two 50-year continuous water year studies to determine the amount of excess generation in average megawatts caused by hydrosystem operations primarily for fish and wildlife. The first study removes all fish and wildlife requirements. This study shows the firm energy production capability of the federal system in each month. The second study includes all fish and wildlife restrictions and also provides monthly firm energy production. Each study was run with the rule curves and resource operations which simulate the most efficient operation for their specific conditions and limitations. The difference in monthly energy production between the two studies was

[5] Pacific Northwest Electric Power Planning and Conservation Act, Pub. L. No. 96–501, § 5(f), 94 Stat. 2697 (1980). Section 5(f) of the Northwest Power Act provides: The Administrator is authorized to sell, or otherwise dispose of, electric power, including power acquired pursuant to this and other Acts, that is surplus to his obligations incurred pursuant to subsections (b), (c), and (d) of this section in accordance with this and other Acts applicable to the Administrator, including the Bonneville Project Act of 1937 (16 U.S.C. 832 and following), the Federal Columbia River Transmission System Act (16 U.S.C. 838 and following), and the Act of August 31, 1964 (16 U.S.C. 837–837h).

[6] All of the investor-owned utilities in the region have signed long-term firm power sales contracts that obligate Bonneville, upon compliance with certain notice requirements, to deliver power in amounts requested by the investor-owned utilities to meet a portion of their loads in the region. These utilities have not elected to place loads on Bonneville under these agreements, with the exception of a relatively small amount of electric power loads placed on Bonneville under the New Resource Firm Power Rate schedule(s). These obligations will be included in the determination of excess federal power due to load reductions.

[7] "Pacific Northwest" as defined in the Regional Preference Act, 1(b), 78 Stat. 756, as amended by Pacific Northwest Electric Power Planning and Conservation Act, 8(e), 94 Stat. 2729.

[8] As of January 1,1995, Grant County PUD No. 2, Chelan County PUD No. 1, Cowlitz County PUD, Douglas County PUD No. 1, Eugene Water and Electric Board, Pend Oreille PUD No. 1, Seattle City Light, Snohomish County PUD No. 1, Tacoma Public Utilities.

[9] Small and Non-Generating Public Utilities, including Federal Agencies.

averaged over the 50-year period for each month. The positive monthly averages, representing the increased generation due to fish and wildlife operations, were summed to determine the annual average energy amount in average megawatts of excess federal power due to fish and wildlife operations. A 100 percent load factor was assumed for determining the capacity amount of excess federal power due to fish and wildlife operations. BPA relied on two studies that were developed in support of the implementation of the BPA fish spending limitation. The results from those two studies established an amount of excess federal power due to hydrosystem operations primarily for the benefit of fish and wildlife of 129 average megawatts annually. Unless further changes in the future are required in the scope and magnitude of hydrosystem operations for the benefit of fish and wildlife, this amount of excess federal power due to such operations will not be revisited in each annual determination of excess federal power. If future changes impact hydrosystem operations Bonneville may revise the amount of excess federal power by reopening this policy.

3. *Process:* Each year Bonneville will determine the total amount of excess federal power on its system. Each annual determination will be based on a revised 10-year forecast of Bonneville's then-current section 5(b) and 5(d) contractual obligations. The net of each year's forecast and 8309 average megawatts will be the amount of excess federal power due to forecasted reductions in those contractual obligations. This amount will be added to the amount of excess federal power due to fish and wildlife obligations in order to determine the total amount of excess federal power that may be marketed in any year of the forecast. This total amount of excess federal power will be reduced by the amount of any current sales of excess federal power to determine the total amount available to the Administrator for marketing. The results of this determination will be included in an annual notification to Bonneville's then existing Pacific Northwest customers of Bonneville's intent to market excess federal power or surplus power outside the region. Bonneville's date of issuance of the notification may vary from year to year.

Sales of Excess Federal Power

1. *Sales Outside the Region:* In section 508(b) of P.L. 104–46, excess federal power may be sold or otherwise disposed of outside the Pacific Northwest region without the marketing restrictions contained in sections 3(a), (b) and (c) of the Regional Preference Act and section 9(c) of the Northwest Power Act.[10] The Administrator is authorized to sell excess federal power without the requirement that energy or capacity deliveries to an out-of-region customer be subject to termination of deliveries (recall) upon 60-days notice for energy and 60-months notice for capacity if the Administrator determines it is needed to meet the requirements of the Administrator's regional customers.

In addition, the notice required for out-of-region sales in section 2 of the Regional Preference Act is made inapplicable to sales of excess federal power.[11] The new law conditions the sale of excess federal power outside the region upon the requirement that the Administrator first offer the power to Pacific Northwest public body, cooperative, and investor-owned utilities and direct service industrial customers for a reasonable period of time and under the same essential rate, terms, and conditions. This notice requirement provides the Administrator with considerable flexibility in providing Bonneville's existing regional customers with notice of sales to out-of-region customers.[12]

P.L. 104–46 provides the Administrator with the authority to sell excess federal power outside the region for a period of up to 7 years. In all sales of excess federal power Bonneville will limit the actual delivery of excess federal power to 7 years. Such contracts may contain a provision for renewal and be renewed, subject to the availability of excess federal power at the time the purchaser must provide a renewal notice.

An annual notification of the availability of excess federal power will be given to existing regional customers. This notification will specify a range of rates, and basic terms and conditions for a sale of excess federal power on which Bonneville will enter into bilateral discussions with out-of-region customers.

For contracts having a term of one year or greater, regional customers interested in purchasing excess federal power will have 30 days from the date of the annual notice to contact Bonneville. If a subsequent agreement for the sale of excess federal power to an out-of-region customer is negotiated under a rate or under terms and conditions different from the range of rates, terms, and conditions specified in the annual notice, Bonneville will provide interested regional customers notice of the pending sale. Regional customers interested in purchasing excess federal power under the same rate, terms and conditions in the pending out-of-region sale will have 5 days from the date of this subsequent notice to contact Bonneville. In order to enter into such an agreement, regional customers must agree to the identical terms and conditions in the agreement for pending out-of-region sale, except those which clearly do not apply to the particular utility (such as points of delivery).

For contracts having a duration of less than 1 year, the annual notification of the availability of excess federal power will serve as the only notification of the availability of excess federal power. Any interested regional customers may contact Bonneville to purchase such short-term excess federal power based on the general rate, terms and conditions proposed by Bonneville in the annual notification after bilateral negotiations with Bonneville. If a subsequent agreement for a short term sale of excess federal power to an out-of-region customer is negotiated under a rate or under terms and conditions different from the range of rates, terms and conditions specified in the annual notice, Bonneville will provide interested regional customers notice of the pending sale. Regional customers interested in purchasing excess federal power under the same rate, terms and conditions in the pending out-of-region sale will have up to 5 days, depending on the effective delivery date and the duration of the short-term sale, from the date of this subsequent notice of contact Bonneville.

2. *Sales in Any Region:* Section 508(b)(2) authorizes the sale of excess federal power in any region without the restriction on resale established in the second sentence of section 5(a) of the Bonneville Project Act which provides

[10] The Pacific Northwest Electric Power Planning and Conservation Act, Pub. L. No. 96–501, 9(c), 94 Stat. 2697 (1980).

[11] Section 2 of the Regional Preference Act provides that at least 30 days prior to the execution of any contract for the sale, delivery, or exchange of surplus energy or surplus peaking capacity for use outside the Pacific Northwest, the Secretary shall give the then customers of the Bonneville Power Administration written notice that negotiations for such a contract are pending, and thereafter, at any customer's request, make available for its inspection current drafts of the proposed contract.

[12] In the conference report, Congress states that "this flexibility may include shorter notice periods and less detailed information on in-program negotiations. Notice periods may be very short for short-term sales (for example, notice to accommodate hourly sales) and for transactions that must be negotiated quickly. BPA may also provide seasonal notice with price ranges requesting interested parties to contact BPA to purchase power." H.R. 1905, Conf. Rep. No. 293, 104th Cong., 1st Sess. 94 (1995).

that contracts for the sale of electric energy to any private person or agency other than a privately owned public utility engaged in selling electric energy to the general public, shall contain a provision forbidding such private purchaser to resell any such electric energy so purchased to any private utility or agency engaged in the sale of electric energy to the general public, and requiring the immediate canceling of such contract of sale in the event of violation of such provision.

This provision requires that contracts for the sale of power by the Administrator to private entities or agencies thereof, other than investor-owned utilities, contain a provision that prohibits the resale of that power to investor owned utilities or other private entities or their agents engaged in the sale of electricity to the general public. Consistent with the removal of this requirement in P.L. 104–46, contracts for the sale of excess federal power will not contain any provision prohibiting the resale of such power to investor-owned utilities or other private entities or their agents.

Issued in Washington, D.C. on March 22, 1996.

Stephen Wright,

Assistant Administrator, Bonneville Power Administration.

[FR Doc. 96–7734 Filed 3–28–96; 8:45 am]

BILLING CODE 6450–01–P

Kalispel Tribe Resident Fish Project

AGENCY: Bonneville Power Administration (BPA), Department of Energy (DOE).

ACTION: Notice of Floodplain and Wetlands Involvement.

SUMMARY: This notice announces BPA's proposal to construct a warm water bass hatchery and create two bass nurseries on the ''Flying Goose Ranch'' in northeastern Washington State. The action is being undertaken to mitigate partially for salmon and steelhead losses incurred as a result of the construction and operation of Chief Joseph and Grand Coulee dams. The action proposed within the floodplain of the Pend Oreille River is to construct, operate, and maintain water control structures to create two bass nursery sloughs adjacent to the Pend Oreille River in Pend Oreille County in northeastern Washington. In accordance with DOE regulations for compliance with floodplain and wetlands environmental review requirements (10 CFR Part 1022), BPA will prepare a floodplain and wetlands assessment and will perform this proposed action in a manner so as to avoid or minimize potential harm to or within the affected floodplain and wetlands. The assessment will be included in the environmental assessment being prepared for the proposed project in accordance with the requirements of the National Environmental Policy Act. A floodplain statement of findings will be included in any finding of no significant impact that may be issued following the completion of the environmental assessment.

DATES: Comments are due to the address below no later than April 15, 1996.

ADDRESSES: Submit comments to the Public Involvement and Information Manager, Bonneville Power Administration—CKP, P.O. Box 12999, Portland, Oregon 97212. Internet address: comment@bpa.gov.

FOR FURTHER INFORMATION, CONTACT: Gene Lynard—ECN, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon, 97208–3621, phone 503–230–3790, fax 503–230–3212.

SUPPLEMENTARY INFORMATION: The wetlands and floodplain involved are located in sections 17, 18, 19 and 20, T34N, R44E, Willamette Meridian.

Maps and further information are available from BPA at the address above.

Issued in Portland, Oregon, on March 21, 1996.

Nancy H. Weintraub,

Fish and Wildlife Team Lead, Environment, Fish and Wildlife Group.

[FR Doc. 96–7741 Filed 3–28–96; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

[Project No. 1417; Project No. 1835]

Central Nebraska Public Power and Irrigation District and Nebraska Public Power District; Notice of Public Conference

March 25, 1996.

In response to a request by the U.S. Department of the Interior (Interior), FERC staff will host a technical conference on the questions raised by Interior economists regarding the economic analysis in the Biological Assessment. The conference is scheduled for April 3, 1996, from 9:00 a.m. until 5:00 p.m. in Room No. 3M–2A, located on the third floor of 888 First Street NE., Washington, D.C. If necessary, the conference will reconvene at 9:00 a.m. on April 4, 1996.

This conference is neither a hearing nor a settlement conference. It will provide an opportunity for representatives of Interior and the Commission staff to raise questions and exchange information concerning the Commission's economic analysis. Interested parties are welcome to attend and observe the conference, but participation will be limited to the Commission and Interior.

Anyone wishing to comment in writing on the conference must do so no later than April 17, 1996. Comments should be addressed to: Lois D. Cashell, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, D.C. 20426.

Reference should be clearly made to: the Kingsley Dam (Project No. 1417) and North Platte/Keystone Diversion Dam (Project No. 1835).

For further information, please contact Frankie Green at (202) 501–7704.

Lois D. Cashell,

Secretary.

[FR Doc. 96–7669 Filed 3–28–96; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 3913–001]

Puget Sound Power & Light Company; Notice of Effective Date of Withdrawal of License Application

March 25, 1996.

On July 19, 1983, Puget Sound Power & Light Company (Puget Power) filed a license application for the proposed Thunder Creek Project No. 3913, to be located on Thunder Creek in Skagit County, Washington. On March 4, 1996, Puget Power filed a letter withdrawing its license application. No motion in opposition to the withdrawal was filed, and the Commission took no action to disallow the withdrawal. Accordingly, pursuant to Rule 216 of the Commission's Rules of Practice and Procedure,[1] the withdrawal became effective on March 19, 1996.

Lois D. Cashell,

Secretary.

[FR Doc. 96–7668 Filed 3–28–96; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 2614–021]

City of Hamilton; Ohio and Kentucky; Notice of Availability of Final Environmental Assessment

March 25, 1996.

A final environmental assessment (FEA) is available for public review. The FEA is for a license amendment application to relocate a portion of a transmission line for the Greenup

[1] 18 CFR 385.216.

Project. The FEA finds that approval of the application would not constitute a major federal action significantly affecting the human environment. The Greenup Project is located on the Ohio River in Greenup County, Kentucky and Scioto County, Ohio.

The FEA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the FEA are available for review at the Commission's Public Reference and Information Center, Room 2–A, 888 First Street NE., Washington, DC 20426. Copies can also be obtained by calling the project manager, Jon Cofrancesco at (202) 219–0079.

Lois D. Cashell,

Secretary.

[FR Doc. 96–7671 Filed 3–28–96; 8:45 am]

BILLING CODE 6717–01–M

Notice of Application Filed With the Commission

March 25, 1996.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. Type of Application: Non-project Use of Project Lands and Waters.

b. Project No.: 184–050.

c. Date filed: March 13, 1996.

d. Applicant: Pacific Gas and Electric Company.

e. Name of Project: El Dorado Project.

f. Location: The project is located on the South Fork American River in El Dorado and Alpine Counties in California.

g. Filed pursuant to: Federal Power Act, 16 U.S.C. § 791(a)–825(r).

h. Applicant Contact: Ms. Rhonda Shiffman, Pacific Gas and Electric Company, P.O. Box 770000, P10A, San Francisco, CA 94177, (415) 973–5852.

i. FERC Contact: Jon E. Confrancesco, (202) 219–0079.

j. Comment Date: April 29, 1996.

k. Description of Amendment: Pacific Gas and Electric Company (licensee), proposes to grant permission to Kirkwood Associates, Inc. to divert water from a project reservoir (Caples Lake) for snow making purposes at the Kirkwood Ski Resort. The proposal involves the construction and operation of a water intake facility at Caples Lake and the withdrawal of up to 500 acre-feet of water during the ski season. The proposal is part of the Kirkwood Water Rights and Snowmaking Project previously reviewed by the U.S. Forest Service, Alpine County, and other federal, state, and local agencies. During the review process, a final environmental impact report and environmental assessment was prepared for the project. On September 18, 1995, the U.S. Forest Service issued a Decision Notice approving the project.

l. This notice also consists of the following standard paragraphs; B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Lois D. Cashell,

Secretary.

[FR Doc. 96–7667 Filed 3–28–96; 8:45 am]

BILLING CODE 6717–01–M

Notice of Application Filed With the Commission

March 25, 1996.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. Type of Application: Request for Commission Approval to Grant a Permit for the Construction and Operation of a Marina Facility.

b. Project No.: 1494–116.

c. Dated Filed: February 12, 1996.

d. Applicant: Grand River Dam Authority (licensee).

e. Name of Project: Pensacola Project.

f. Location: The Duck Creek arm of Grand Lake O' The Cherokees, Delaware County, Afton Oklahoma.

g. Filed Pursuant to Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. Applicant Contact: Mr. Robert W. Sullivan, Jr., Grand River Dam Authority, P.O. Box 409, Drawer G, Vinita, OK 74301, (918) 256–5545.

i. FERC Contact: Joseph C. Adamson, (202) 219–1040.

j. Comment Date: April 30, 1996.

k. Description of Proposed Action: The licensee requests Commission approval to grant a permit to Mr. John Mullen, d/b/a Thunder Bay Marina for the construction and operation of a marina facility. The proposed facility includes the addition of 151 boat slips to an existing facility with 3 floating docks containing 58 boat slips, for a total of 209 boat slips.

l. This notice also consists of the following standard paragraphs: B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C.

20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Lois D. Cashell,

Secretary.

[FR Doc. 96–7670 Filed 3–28–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP96–254–000, et al.]

Distrigas of Massachusetts Corporation, et al.; Natural Gas Certificate Filings

March 22, 1996.

Take notice that the following filings have been made with the Commission:

1. Distrigas of Massachusetts Corporation

[Docket No. CP96–254–000]

Take notice that on March 15, 1996, Distrigas of Massachusetts Corporation (DOMAC), 75 State Street, Boston, Massachusetts 02109, filed in Docket No. CP96–254–000, an application pursuant to Section 7(c) of the Natural Gas Act and Section 157.7 and Part 157 of the Commission's Regulations for a certificate of public convenience and necessity to install additional vaporization capacity and to install and construct additional facilities appurtenant thereto at DOMAC's liquefied natural gas (LNG) terminal in Everett, Massachusetts, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

DOMAC seeks authorization to construct and install additional LNG vaporization facilities wholly within the existing boundary of DOMAC's Everett Marine Terminal. DOMAC states that the new LNG vaporization system will be located in the same general area of the plant as the existing vaporization facilities. There will be two vaporization trains, each with a nominal capacity rating of 75,000 Mcf/d to be delivered through a new 750 psig send-out system. In addition to providing new vaporization capacity of 150,000 Mcf/d, the new system can serve as a back-up to existing vaporizer facilities. DOMAC states that it anticipates the project will have an approximate cost of $15.5 million and will be financed by DOMAC using cash on hand. DOMAC further states that the proposed facilities will be installed to meet the anticipated need for increased vaporization capacity in the fall of 1998. DOMAC states that it will assume 100 percent of the cost recovery risk related to the project and that the project will have no impact on the rates charged for DOMAC's sales services.

DOMAC also states that it anticipates the construction of a pipeline interconnection between its facilities and those of Tennessee Gas Pipeline Company (Tennessee) which is the subject of a pending certificate application, Docket No. CP96–164–000, that is before the Commission. DOMAC states that Tennessee's proposed 7.5-mile, 20-inch pipeline will directly connect Tennessee's existing Revere Lateral line in Saugus, Massachusetts with DOMAC's facilities in Everett. DOMAC further states that although DOMAC's proposed vaporization facilities are necessary to deliver vaporized LNG into Tennessee's new pipeline at 750 psig, DOMAC's need for additional vaporization capacity is independent of Tennessee's proposal to directly connect to the facilities. DOMAC states that it intends to proceed with the expansion of its vaporization capacity even in the absence of the Tennessee interconnection.

Comment date: April 12, 1996, in accordance with Standard Paragraph F at the end of this notice.

2. Northwest Pipeline Corporation

[Docket No. CP96–258–000]

Take notice that on March 18, 1996, Northwest Pipeline Corporation (Northwest), 295 Chipeta Way, Salt Lake City, Utah 84108, filed in Docket No. CP96–258–000 a request pursuant to Sections 157.205, 157.211 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211 and 157.216) for authorization to abandon certain facilities and to construct and operate upgraded replacement facilities at an existing delivery point in Benton County, Washington, to accommodate deliveries of natural gas to Cascade Natural Gas Company (Cascade), under Northwest's blanket certificate issued in Docket No. CP82–433–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Northwest requests authorization to abandon facilities at the Kennewick Meter Station consisting of 2 2-inch regulators, 2 4-inch orifice meters and appurtenant piping and valves and a 2-inch tap. Northwest proposes to abandon the regulators and meters by removal and to abandon the tap in place. It is stated that Northwest proposes to replace these facilities because they are undersized for the existing maximum daily delivery obligation to Cascade of 12,092 dt equivalent of natural gas per day.

To replace the facilities proposed for abandonment, Northwest proposes to install 2 3-inch regulators, 2 6-inch turbine meters and appurtenant piping and valves and a 4-inch tap. These proposed facilities would increase the maximum design capacity of the meter station from 8,900 dt equivalent per day to approximately 21,830 dt equivalent per day. It is estimated that the cost to remove the old facilities would be $13,000, and the cost to install the replacement facilities would be $371,800. It is asserted that Northwest makes deliveries to Cascade under its Rate Schedules TF–1 and TF–2.

It is stated that no customers would lose service as a result of the proposed abandonment and replacement. It is further stated that Northwest's tariff does not prohibit the upgrade of delivery point facilities and that there would be no impact on Northwest's peak day and annual deliveries. It is explained that deliveries at the Kennewick delivery point would be within authorized entitlements of Cascade or other shippers.

Comment date: May 6, 1996, in accordance with Standard Paragraph G at the end of this notice.

3. Williams Natural Gas Company

[Docket No. CP96–260–000]

Take notice that on March 18, 1996, Williams Natural Gas Company (Williams), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP96–260–000 a request pursuant to Sections 157.205, 157.208 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.208 and 157.216) for authorization to abandon certain pipeline facilities and to construct and operate replacement facilities located in Cowley County, Kansas, under Williams' blanket certificate issued in Docket No. CP82–479–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Williams requests authorization to abandon partly by reclaim and partly in place approximately 7.5 miles of Williams' Dilworth-Cambridge 16-inch pipeline and to construct and operate

7.5 miles of replacement 6-inch pipeline. It is stated that this proposal is a continuation of the replacement of the Dilworth-Cambridge Line begun in Docket No. CP95–682–000. It is asserted that the replacement of the line by 6-inch pipe will allow for more efficient use of Williams' facilities. Williams proposes to uprate the line on completion of its replacement from its present maximum allowable operating pressure (MAOP) of 315 to 265 psig to a proposed MAOP of 720 psig. It is stated that the uprating of the line will eliminate the need for pressure regulation and reduce related maintenance costs. It is estimated that the cost to reclaim facilities would be $1,000, the cost to construct the replacement facilities would be $1,644,000, and the estimated salvage value would be $3,000. It is asserted that Williams has sufficient capacity to make the changes without detriment or disadvantage to its customers. It is stated that the present volume of gas transported on the Dilworth-Cambridge pipeline is 13,400 Mcf of gas per day.

Comment date: May 6, 1996, in accordance with Standard Paragraph G at the end of this notice.

4. Texas Gas Transmission Corporation

[Docket No. CP96–262–000]

Take notice that on March 19, 1996, Texas Gas Transmission Company (Texas Gas), P.O. Box 20008, Owensboro, Kentucky 42304, filed in Docket No. CP96–262–000 a request pursuant Sections 157.205(b) and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205(b) and 157.212) for authorization to add a new delivery point in Henderson County, Kentucky, to serve Western Kentucky Gas Company (Western), a local distribution company, under Texas Gas' blanket certificate issued in Docket No. CP82–407–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Texas Gas states that it has received a request from Western for a new delivery point on Texas Gas' Slaughters-Evansville 10-inch Line in Henderson County, Kentucky, to enable Western to render natural gas service to a new customer, Hudson Foods, Inc. It is also stated that the natural gas delivered to the proposed delivery point would be used for service to Hudson's new chicken processing plant. Texas Gas states that Western would reimburse Texas Gas for the cost of this delivery point, which cost is estimated to be $81,100.

Texas Gas further states that Western would not require any increase in existing firm contract quantities to accommodate service to the new delivery point. Since no increase in contract quantities has been requested by Western, Texas Gas states that the service to the proposed delivery point could be accomplished without detriment to Texas Gas' other customers.

It is further asserted that the natural gas volumes that would be delivered at the proposed delivery point would be a maximum daily quantity of 4,500 MMBtu, with a maximum annual quantity of 1,200,000 MMBtu.

Comment date: May 6, 1996, in accordance with Standard Paragraph G at the end of this notice.

5. Michigan Gas Storage Company

[Docket No. CP96–263–000]

Take notice that on March 20, 1996, Michigan Gas Storage Company (MGSCo), 212 West Michigan Avenue, Jackson, Michigan 49201, filed in Docket No. CP96–263–000 an application pursuant to Section 7(c) of the Natural Gas Act to construct and operate certain pipeline facilities in the Cranberry Lake Storage Field in Clare County, Michigan and pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon the pipeline facilities being replaced, all as more fully set forth in the application on file with the Commission and open to public inspection.

MGSCo requests authorization to construct and operate 5.2 miles of 20-inch pipeline to replace 1.3 miles of 10-inch, 3.9 miles of 16-inch and 5.2 miles of 8-inch pipeline in the Cranberry Lake Storage Field from Station 60 to the Muskegon River Compressor Station, all located in Clare County, Michigan. MGSCo states that the purpose of the proposed project is to replace deteriorating pipeline and to allow for efficient cleaning/inspection of the header pipeline for the storage field.

MGSCo estimates the cost of the proposed project to be $3,550,000. MGSCo states that it proposes to recover the construction and operation costs of the 20-inch piping replacement in a future Section 4 rate filing with the Commission, on a rolled-in basis.

Comment date: April 12, 1996, in accordance with Standard Paragraph F at the end of this notice.

6. Sea Robin Pipeline Company

[Docket No. CP96–266–000]

Take notice that on March 20, 1996, Sea Robin Pipeline Company (Sea Robin), Post Office Box 2563, Birmingham, Alabama 35202–2563, filed a request with the Commission in Docket No. CP96–266–000 pursuant to Sections 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (NGA) for authorization to construct and operate a new delivery point, to enable Sea Robin to deliver gas to Equitable Storage Company (Equitable), authorized in blanket certificate issued in Docket No. CP82–429–000, all as more fully set forth in the request on file with the Commission and open to public inspection.

Sea Robin proposes to construct, install and operate a new delivery point at its existing Erath Compressor Station site. The delivery point would be located in Sea Robin's Erath Compressor Station yard in Section 41, Township 13 South, Range 4 East, in Vermillion Parish, Louisiana. The delivery point would be used to deliver gas to Equitable. Sea Robin states that the estimated cost of the construction and installation of the delivery point facilities would be approximately $434,148. Equitable has agreed to reimburse Sea Robin for the total actual cost of the facilities.

Comment date: May 6, 1996, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 96–7672 Filed 3–28–96; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–5414–8]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7167 OR (202) 564–7153.

Weekly receipt of Environmental Impact Statements Filed March 18, 1996 Through March 22, 1996 Pursuant to 40 CFR 1506.9.

EIS No. 960130, FINAL EIS, SFW, TX, Balcones Canyonlands Conservation Plan, Issuance of a Permit to Allow Incidental Take of Golden-cheeked Warbler, Black-capped Vireo and Six Karst Invertebrates, Travis County, TX, Due: April 29, 1996, Contact: Joseph E. Johnston (512) 490–0063.

EIS No. 960131, FINAL EIS, BLM, OR, Lake Abert Area Designation as an Area of Critical Environmental Concerns (ACEC), High Desert Management Framework Amendment Plan, Right-of-Way Grant and Drilling Permit, Valley Falls, Lake County, OR, Due: April 29, 1996, Contact: Paul Whitman (503) 947–6110.

EIS No. 960132, FINAL EIS, FHW, NC, Winston-Salem Northern Beltway (Western Section), Construction, from US 158 Northward to US 52, Funding and COE Section 404 Permit, Forsyth County, NC, Due: April 29, 1996, Contact: Nicholas L. Graf (919) 856–4346.

EIS No. 960133, FINAL EIS, IBR, MT, Tongue River Basin Project, Implementation, Tongue River Dam and Reservior, COE Section 404 Permit, Bighorn County, MT, Due: April 29, 1996, Contact: John Boehmke (406) 247–7715.

EIS No. 960134, DRAFT EIS, UAF, CO, NM, KS, NB, WY, Colorado Airspace Initiative, Modifications to the National Airspace System, such as the F–16 Aircraft and Aircrews of the 140th Wing of the Colorado Air National Guard, Also modifying existing Military Operations Areas (MOAs) and Military Training Routes (MTRs), CO, NM, KS, NB and WY, Due: June 05, 1996, Contact: Harry A. Knudsen (301) 836–8143.

EIS No. 960135, DRAFT EIS, APH, Programmatic EIS—Veterinary Services (VS) Programs, Implementation, to Detect, Prevent, Control, and Eradicate Domestic and Foreign Animal Diseases and Pests, All 50 States and the United States Territories, Due: May 28, 1996, Contact: Dr. William E. Ketter (301) 734–8565.

EIS No. 960136, REVISED DRAFT EIS, NPS, AK, Denali (South Slope) National Park and Preserve Development Concept Plan, Implementation, Additional Information, Mantanuska-Susitna Borough, AK, Due: May 13, 1996, Contact: Nancy Swanton (907) 257–2651.

Dated: March 26, 1996.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 96–7753 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–U

[ER–FRL–5414–9]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared March 11, 1996 Through March 15, 1996 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the Federal Register dated April 14, 1996 (60 FR 19047).

Draft EIS's

ERP No. D–AFS–J02033–UT Rating LO, Dixie National Forest Oil and Gas Leasing on Federal Lands, Implementation, Garfield, Kane, Iron, Washington, Piute and Wayne Counties, UT.

Summary: EPA provided no formal written comments. EPA has no objection to the preferred alternative as described in the EIS.

ERP No. D–AFS–L65254–AK Rating LO, 1995 Mendenhall Glacier Recreation Area Management Plan, Implementation, Tongass National Forest, Juneau Ranger District, Chatham Area, AK.

Summary: EPA expressed a lack of objections for the proposed action.

ERP No. D–BLM–G65064–TX Rating LO, Texas Land and Resource Management Plan (RMP), Implementation, Split Estates Federal Mineral Ownership (FMO), Several Counties, TX.

Summary: EPA had no objection to the selection of the preferred alternative described in the draft EIS.

ERP No. D–FHW–E40763–NC Rating EC2, Winston-Salem Northern Beltway, (Eastern Section) from US 52 North of Winston-Salem to US 421/I–40 Business east of Winston-Salem, Construction, Funding and COE Section 404 Permit, Forsyth County, NC.

Summary: EPA had environmental concerns that the 12 mile long Bypass evaluated in the draft EIS is only one of two segments of a planned Northern Bypass. The NEPA review should have been comprehensive. EPA is also concerned about secondary impacts to a water supply.

ERP No. D–FHW–E40765–FL Rating EC2, East-West Multimodal Corridor Transportation Improvements, Beginning at the Tamiami Campus of Florida International University (FIU) extending the length of FL 836, Port of Miami, Dade County, FL.

Summary: EPA's review found that all of the proposed alternatives will have relatively minor impact to the natural environment, but did express concerns for impacts to the urban human environment in the form of noise and relocations.

ERP No. D–FHW–K40215–CA Rating EC2, East Sonora Bypass/CA–108 Construction, CA–108 from Post Mile

M1.8 to Post Mile R6.9, Funding and COE Section 404 Permit Issuance, Tuolumne County, CA.

Summary: EPA expressed environmental concerns regarding cumulative impacts of the project on the environment and development plans along the alignment, water quality, and hazardous waste found at sites within the corridor.

ERP No. D–FRC–A08030–00 Rating EU2, Promoting Wholesale Competition through Open Access Non-Discriminatory Transmission Service by Public Utilities (RM95–8–000) and Recovery of Strandred Costs by Public Utilities and Transmitting Utilities (Docket No. RM–94–7–001), Proposed Rulemaking.

Summary: EPA raised environmental concerns over the potential for the proposed rule to significantly increase air pollution, the need for additional information to better assess the potential impacts, the need for further analysis and consideration of mitigation options, and the absence of an appropriate mitigation mechanism to prevent the pollution increases. EPA believed that by working with FERC, the Department of Energy and other agencies, practical mitigation steps can be developed.

ERP No. D–USA–K11065–CA Rating EC2, Miramar Naval Air Station (NAS) Realignment or Conversion to Miramar Marine Corps Air Station, Implementation, San Diego, CA.

Summary: EPA expressed environmental concerns regarding the loss of vernal pools and endangered species habitat, as well as noise analysis.

ERP No. DA–FTA–K51035–CA Rating EC2, Bay Area Rapid Transit District (BART) Transportation Improvements, San Francisco to San Francisco International Airport Extension, Alternative VI Aerial Design Option, Approval, Funding, COE Section 404 and Possible FHWA Encroachment Permits Issuance, San Mateo County, CA.

Summary: EPA expressed environmental concerns with the project's possible impacts to wetland, endangered species, and minority neighborhoods.

Final EIS's

ERP No. F–AFS–K65154–CA Mendocine National Forest Land and Resource Management Plan, Implementation, Colusa, Glenn, Lake, Mendocino, Tehama and Trinity Counties, CA.

Summary: Review of the final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F–AFS–K65157–CA Paper Reforestation and Resource Recovery Project, Implementation, Stanislaus National Forest, Mi-Wok Ranger District, Tuolumne County, CA.

Summary: EPA expressed environmental concerns regarding level of aerial spraying of hexazinone.

ERP No. F–AFS–L65172–ID Idaho Panhandle National Forests Noxious Weed Management Projects, Implementation, Bonners Ferry Ranger District, Boundary County, ID.

Summary: EPA had no objection to the action as proposed. ERP No. F–FHW–E40740–NC US 1 Improvements, Secondary Road 1853 at Lakeview to Secondary Road 1180 south of Sanford, Funding and COE Section 404 Permit Issuance, Lee and Moore Counties, NC.

Summary: EPA expressed environmental concerns with the US 1 Highway Improvement Project primarily because of insufficient commitment to wetlands mitigation.

ERP No. F–FHW–K40134–CA CA–180 Transportation Project, Construction, between Temperance Avenue and Cove Road, Funding and COE Section 404 Permit, Fresno County, CA.

Summary: EPA's environmental concerns with the draft EIS were adequately addressed in the FEIS. Also, EPA recommended that FHWA continue their coordination with the other interesed state and local agencies.

ERP No. F–MMS–G02005–00 1996 Central and Western Gulf of Mexico Outer Continental Shelf (OSC) Oil and Gas Lease Sales No. 157 (March 1996) and No. 161 (August 1996), Lease Offerings, Offshore coastal counties and parishes of AL, MS, LA and TX.

Summary: EPA had no objections to the selection of the preferred alternative.

ERP No. F–NOA–A29004–00 Programmatic EIS—Coastal Nonpoint Pollution Control Program, Implementation, Approval for 29 States and Territories Coastal Nonpoint Program.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F–NOA–A91061–00 Atlantic Mackerel, Squid and Butterfish Fisheries, Fishery Management Plan, Amendment No. 5, Implementation, Exclusive Economic Zone (EEZ) off the US Atlantic Coast.

Summary: EPA had no objections to the proposed program.

ERP No. F–UAF–K11061–GU Andersen Air Force Base (AFB) Solid Waste Management Facility, Construction, Island of Guam, GU.

Summary: EPA continued to express environmental concerns regarding stability and monitorability of the landfill site and reiterated the need for additional information regarding monitoring, air emissions, pretreatment and runoff controls before the Air Force signs a ROD.

ERP No. F–USN–G11028–TX Mine Warfare Center of Excellance (MWCE) Establishment, Construction and Operations, Magnitic Silencing Facility (MSF), Aviation Mine Count Measures (AMCM) and Sled Facility, Possible NPDES Permit, COE Section 10 and 404 Permits, Corpus Christi Bay Area, TX.

Summary: EPA had no objection to the selection of the preferred alternative described in the Final EIS.

ERP No. F–USN–K11062–CA San Diego Homeporting Facilities Construction and Operation to Support Berthing One NIMITZ Class Aircraft Carrier, Implementation, San Diego County, CA.

Summary: EPA had no objection to the final EIS.

ERP No. FR–UAF–B11015–ME Loring Air Force Base (AFB) Disposal and Reuse, Implementation, Aroostook County, ME.

Summary: EPA environmental concerns have been resolved satisfactorily in the 1995 revised documents.

Other

ERP No. LF–NPS–L61204–OR.

Adoption: Wallowa River Wild and Scenic River Study from the Confluence of the Minam and Wallowa Rivers to the Confluence of the Wallowa River and the Wild and Scenic Grande Ronde River for Designation or Nondesignation into the National Wild and Scenic River System, Union and Wallowa Counties, OR.

Summary: Review of the final EIS has been completed and the project found to be satisfactory. EPA provided no formal written comments. EPA had no objection to the preferred alternative as described in the EIS.

Dated: March 26, 1996.

William D. Dickerson,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 96–7754 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–U

[PP 6F4650/PF646; FRL–5357–3]

Trichoderma harzianum Rifai Strain KRL-AG2; Notice of filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: EPA has received a petition (PP 6F4650) for a revision of the current exemption from the requirement of tolerances for *Trichoderma harzianum* Rifai strain KRL-AG2 (40 CFR 180.1102) to include all raw agricultural commodities. The request was filed by TGT Inc., 122 North Genesee Street, Geneva, N.Y. 14456.

DATES: Written comments, identified by the docket control number [PP 6F4650/PF646], must be submitted to EPA by April 29, 1996.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by docket number [PP 6F4650/PF646]. No CBI should be submitted through e-mail. Electronic comments on this notice of filing may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in the SUPPLEMENTARY INFORMATION section of this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as ‘‘Confidential Business Information’’ (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Shanaz Bacchus, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington DC 20460. Office location and telephone number: 5th Floor, CS #1, 2805 Jefferson Davis Hwy., Arlington, VA, 703–308–8097; e-mail address: bacchus.shanaz@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

PP 6F4650. This notice announces that EPA has received from TGT Inc., 122 North Genesee Street, Geneva, N.Y. 14456, a notice of filing under section 408 of the Federal Food, Drug, and Cosmetic Act (21 (U.S.C. 346a) for pesticide petition (PP) 6F4650 to amend 40 CFR part 180 to revise the current exemption from the requirement of tolerances for the microbial pesticide *Trichoderma harzianum Rifai strain* KRL-AG2. The current exemption from the requirement of a tolerance (40 CFR 180.1102) is established for residues of this biofungicide in or on beans (green and dry), cabbage, corn (field and sweet), cotton, cucumbers, peanuts, potatoes, sorghum, soybeans, sugar beets, and tomatoes when used as a fungicide for the treatment of seeds of these crops in accordance with good agricultural practices.

This petition requests that the current exemption from tolerances be revised to include all raw agricultural commodities which have been sprayed or otherwise treated with *Trichoderma harzianum* Rifai strain KRL-AG2. The pesticide is to be applied as seed treatment, for pot filling, as a dip for cuttings and transplants, as an in-furrow spray, and as a sprayable formulation. Rates of application vary from 4 to 8 ounces per hundredweight of seed, and up to 10 pounds per acre (in furrow) for row crops at planting. Field and greenhouse crops may be sprayed at rates of 1 pound per acre and up to 5 applications per year.

A record has been established for this notice of filing under docket number [PP 6F4650/PF646] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA.

Electronic comments can be sent directly to EPA at:

opp-Docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this notice of filing, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official record is the paper record maintained at the address in ‘‘ADDRESSES’’ at the beginning of this document.

List of Subjects

Environmental Protection, Agricultural commodities, Pesticides and Pests, Reporting and recordkeeping requirements.

Dated: March 19, 1996.

Janet L. Anderson

Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 96–7743 Filed 3–28–96; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections being Reviewed by the Federal Communications Commission; Comments Requested

March 25, 1996.

SUMMARY: The Federal Communications, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commissions burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before May 28, 1996. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESS: Direct all comments to Dorothy Conway, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to dconway@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Dorothy Conway at 202–418–0217 or via internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060–0003.

Title: Application for Amateur Operator/Primary Station License.

Form No.: FCC 610.

Type of Review: Extension of a currently approved collection.

Resopondents: Individuals or households.

Number of Respondents: 93,000.

Estimated Time Per Response: 10 minutes.

Total Annual Burden: 15,438 hours.

Needs and Uses: FCC Rules require that applicants file the FCC 610 to apply for a new,renewed or modified license. The form is required by the Communications Act of 1934, as amended; International Treaties and FCC Rules - 47 CFR 97.17, 97.19, 97.511, and 97.519.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96–7810 Filed 3–28–96; 8:45 am]

BILLING CODE 6712–01–F

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices'' (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 22, 1996.

A. Federal Reserve Bank of Cleveland (John J. Wixted, Jr., Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. Pennwood Bancorp, Inc., Pittsburgh, Pennsylvania; to become a bank holding company by acquiring 100 percent of the voting shares of Pennwood Savings Bank, Pittsburgh, Pennsylvania.

B. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. The Colonial BancGroup, Inc., Montgomery, Alabama; to merge with Commercial Bancorp of Georgia, Inc., Lawrenceville, Georgia, and thereby indirectly acquire Commercial Bank of Georgia, Lawrenceville, Georgia.

C. Federal Reserve Bank of Dallas (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. Marlin Holdings, Ltd., Marlin, Texas; to become a bank holding company by retaining 67.93 percent of the voting shares of Central Financial Bancorp, Inc., Lorena, Texas; and thereby indirectly retain shares of Central Delaware Financial Bancorp, Dover, Delaware; Lorena State Bank, Lorena, Texas; and Bank of Troy, Troy, Texas.

D. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. Central Coast Bancorp, Salinas, California; to acquire 100 percent of the voting shares of Cypress Coast Bank, Seaside, California.

Board of Governors of the Federal Reserve System, March 25, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–7660 Filed 3–28–96; 8:45 am]

BILLING CODE 6210–01–F

Sunshine Meeting

TIME AND DATE: 10:00 a.m., Wednesday, April 3, 1996.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204. You may call (202) 452–3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: March 27, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–7826 Filed 3–27–96; 11:18 am]

BILLING CODE 6210–01–P

GENERAL SERVICES ADMINISTRATION

Placement of Commercial Antennas on Federal Property

AGENCY: General Services Administration.

ACTION: Notice.

SUMMARY: On August 10, 1995, President Clinton signed an Executive Memorandum directing the heads of all departments and agencies to facilitate access to Federal property for the purpose of siting mobile services antennas. The General Services Administration, in coordination with other Government departments and

agencies as well as wireless telecommunications industry representatives, has developed the following procedures in Attachment A. The President's memorandum and these procedures implement the requirements of section 704(c) of the Telecommunications Act of 1996, P.L. 104–104.

FOR FURTHER INFORMATION CONTACT:

James Herbert, Office of Property Acquisition and Realty Services, Public Buildings Service, General Services Administration, 18th & F Streets, NW., Washington, DC 20405, telephone 202–501–0376.

Dated: March 25, 1996.

David J. Barram,

Acting Administrator of General Services.

Attachment A—Government-Wide Procedures for Placing Commercial Antennas on Federal Properties

In accordance with section 704(c) of the Telecommunications Act of 1996, Public Law 104–104, and President Clinton's August 10, 1995, memorandum entitled ''Facilitating Access to Federal Property for the Siting of Mobile Services Antennas'' the following procedures shall be followed by Executive departments and agencies:

Guiding Principles

1. Requests for the use of property, rights-of-way, and easements by duly authorized providers should be granted absent unavoidable direct conflict with the department's or agency's mission, or the current or planned use of the property, rights-of-way, and easements in question.

2. Upon request, and to the extent permitted by law and where practicable, executive departments and agencies shall make available Federal Government buildings and lands for the siting of mobile services antennas. This should be done in accordance with Federal, State and local laws and regulations, and consistent with national security concerns (including minimizing mutual electromagnetic interactions), public health and safety concerns, environmental and aesthetic concerns, preservation of historic buildings and monuments, protection of natural and cultural resources, protection of national park and wilderness values, protection of National Wildlife Refuge systems, and subject to any Federal requirements promulgated by the agency managing the facility and the Federal Communications Commission, the Federal Aviation Administration, National Telecommunications and Information Administration, and other relevant departments and agencies.

3. Antennas on Federal buildings or land may not contain any advertising.

4. Federal property does not include lands held by the United States in trust for individual or Native American tribal governments.

5. Agencies shall retain discretion to reject inappropriate siting requests, and assure adequate protection of public property and timely removal of equipment and structures at the end of service.

6. All procedures and mechanisms adopted regarding access to Federal property shall be clear and simple so as to facilitate the efficient and rapid build out of the national wireless communications infrastructure.

7. Unless otherwise prohibited by or inconsistent with Federal law, agencies shall charge fees based on market value for siting antennas on Federal property and may use competitive procedures if not all applicants can be accommodated.

8. The siting of mobile services antennas should not be given priority over other authorized uses of Federal buildings or land.

9. All independent regulatory commissions and agencies are requested to comply with these procedures.

Implementing Actions

1. Each Executive department and agency which operates and controls real property under specific statutory authority is responsible individually for determining the programmatic impact of placing commercially owned antennas on their properties.

2. Each department and agency should review their rules, policies, and procedures for allowing commercial use of their properties and modify them as necessary to assure they fully support the siting of commercial antennas as provided in these procedures.

3. Each department and agency should assure that appropriate officials within local, regional, and national offices who are responsible for the siting of commercial mobile services antennas are aware of and support the President's directives on facilitating access to Federal property.

4. Preliminary decisions on the acceptability of proposed sitings should be rendered as soon as possible but no later than 60 days after receipt of a request. Denials of requests should provide the applicant with an explanation of the reasons for denial. Preliminary approvals should cite all conditions which must be met to render final approval. Final decisions should be rendered in a timely manner consistent with the degree of complexity of the case.

5. Firms and individuals interested in placing commercial mobile services antennas on Federal properties should contact the department or agency which has custody and control of the property. (Generally, Federal buildings and courthouses are controlled by the General Services Administration; military posts and bases, by the Department of Defense; Veterans' hospitals and clinics, by the Department of Veteran's Affairs; and, National Parks, by the Department of Interior.)

Below is a comprehensive listing of the offices in the headquarters of each property holding department and agency. Individuals and firms interested in placing antennas on specific Federally-owned properties should contact the appropriate office in writing indicating their interests, identify the property, and providing specific information on their proposal. These offices will advise applicants on specific application procedures/criteria, as well as appeals processes and refer them to local site managers to make determinations on suitability and other arrangements for leases, licenses, permits or other legal instruments for the siting of commercial antennas.

In the instances where the identity of the department or agency which has custody and control of a property is unknown, individuals and firms may contact the General Services Administration's Office of Real Property. This office maintains a listing of all properties owned by the Federal Government world-wide and will refer inquirers to the appropriate department or agency. Contact can be made by writing the Office of Real Property (MP), Room 1300, General Services Administration, 18th & F Streets, NW., Washington, DC 20405 or by telephone at (202) 501–0176. To assist in identifying the appropriate department or agency inquirers should provide the state, city/county, building/property name and mailing address of the property in question.

Agency Point of Contact for the Placement of Antennas on Federal Buildings

Federal Communications Commission, Operations Management and Services Division—1110B, Room 404, 1919 M Street, NW., Washington, DC 20554, (202) 418–1950

National Aeronautics & Space Administration, Facilities Engineering Division, NASA Headquarters, Code JX, 300 E Street, SW., Washington, DC 20546–0001, (202) 358–1090

National Archives & Records Administration, Management Services Division, Room 2320, 8601 Adelphi Road, College Park, MD 20740–6001, (301) 713–6470
National Science Foundation, Property Administrator, Room 295, 4201 Wilson Boulevard, Arlington, VA 22230, (703) 306–1123
Tennessee Valley Authority, Facilities Services—Asset Management, 1101 Market Street, Chattanooga, TN 37402–2801, (423) 751–2127
U.S. Army Corps of Engineers, Management and Disposal Division in the Real Estate Directorate, Room 4224, 20 Massachusetts Avenue, NW., Washington, DC 20314–1000, (202) 761–0511
U.S. Department of Agriculture, Property Management Division, Ag Box 9840, Washington, DC 20250, (202) 720–5225
U.S. Department of Commerce, Real Estate and Management Support Division, Room 1323, 14th and Constitution Avenue, NW., Washington, DC 20230, (202) 482–3580
U.S. Department of Defense, (Commercial companies who wish to place antennas on DOD property should first contact that property's Installation Commander. If unknown, please contact the following office.) Deputy Assistant Secretary of Defense (Installations), Attention: Director, Installations Management, 3300 Defense Pentagon, Washington, DC 20301–3340, (703) 604–4616
U.S. Department of Education, Office of the Assistant Secretary for Management, Room 216, 600 Independence Ave., SW., Washington, DC 20202
U.S. Department of Energy, Office of Field Management—FM20, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–1191
U.S. Department of Health and Human Services, Division of Special Programs Coordination, Room 4700, 300 Independence Avenue, SW., Washington, DC 20201, (202) 619–0426
U.S. Department of Interior, Bureau of Land Management, Room 1000–L.S., 1849 C Street, NW., Washington, DC 20240–9998, (202) 452–7777
U.S. Department of Interior, National Park Service, Radio Frequency Manager, Denver Service Center, 12795 W. Alameda Parkway, P.O. Box 25287, Denver, CO 80225–0287, (303) 969–2084
U.S. Department of Justice, Justice Buildings Services, Suite 1060, 1331 Pennsylvania Avenue, NW., National Place Building, Washington, DC 20004, (202) 514–2318
U.S. Department of Labor, Office of Facility Management, Room S 1521/OFM, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 219–6434
U.S. Department of State, Office of Real Property, Room 1878, 2201 C Street, NW., Washington, DC 20520, (202) 647–2810
U.S. Department of Transportation, Office of the Secretary, Headquarters Space Management Staff, 400 7th Street, SW., Washington, DC 20590, (202) 366–2472
U.S. Department of Treasury, Office of Real and Personal Property Management, Office of the Deputy Assistant Secretary for Departmental Financial and Management, Room 6140—ANX, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, (202) 622–0910
U.S. Department of Veterans Affairs, Land Management Service—084C, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 565–5026
U.S. Environmental Protection Agency, Architecture, Engineering and Real Estate Branch, Facilities Management and Services Division (3204), 401 M Street, SW., Washington, DC 20460, (202) 260–2160
U.S. General Services Administration, Office of Property Acquisition and Realty Services—PE, Room 2340, 18th & F Streets, NW., Washington, DC 20405, (202) 501–1025
U.S. Government Printing Office, Office of Administrative Support, Stop OA, Washington, DC 20401–0501, (202) 512–1650
U.S. Information Agency, The Office of Administration—(B/A), Cohen Building, 330 Independence Avenue, SW., Washington, DC 20547, (202) 619–3988
U.S. Postal Service, Realty Asset Management, 475 L'Enfant Plaza West, SW., Washington, DC 20260–6433 (202) 268–5765

[FR Doc. 96–7666 Filed 3–28–96; 8:45 am]
BILLING CODE 6820–23–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Dietary Supplement Labels Commission; Meetings

AGENCY: Office of Disease Prevention and Health Promotion, HHS.

ACTION: Commission on Dietary Supplement Labels: Notice of Meeting #3; Opportunity to Provide Comments.

SUMMARY: The Department of Health and Human Services (HHS) is (a) providing notice of the second meeting of the Commission on Dietary Supplement Labels, and (b) soliciting oral and written comments.

DATES: (1) The Commission will meet April 26, 1996, from 8:30 a.m. to 4:30 p.m. Pacific Standard Time at the Holiday Inn Fisherman's Wharf, 1300 Columbus Avenue, San Francisco, California 94133; (2) Written comments on the scope and intent of the Commission's objectives may be submitted up to 5:00 p.m. E.S.T. on June 30, 1996.

FOR FURTHER INFORMATION CONTACT: Kenneth D. Fisher, Ph.D., Executive Director, Commission on Dietary Supplement Labels, Office of Disease Prevention and Health Promotion, Room 738G, Hubert H. Humphrey Building, 200 Independence Ave., SW., Washington, D.C. 20201, (202) 205–5968.

SUPPLEMENTARY INFORMATION:

Commission's Task

Public Law 103–417, Section 12, authorized the establishment of a Commission on Dietary Supplement Labels whose seven members have been appointed by the President. The appointments to the Commission by the President and the establishment of the Commission by the Secretary of Health and Human Services reflect the commitment of the President and the Secretary to the development of a sound and consistent regulatory policy on labeling of dietary supplements.

The Commission is charged with conducting a study and providing recommendations for regulation of label claims and statements for dietary supplements, including the use of supplemental literature in connection with their sale and, in addition, procedures for evaluation of label claims. The Commission is expected to evaluate how best to provide truthful, scientifically valid, and non-misleading information to consumers in order that they may make informed health care choices for themselves and their families. The Commission's study report may include recommendations on legislation, if appropriate and necessary.

Announcement of Meeting

The Commission's second meeting will be March 8, 1996, 8:30 a.m. to 4:30 p.m. Central Time. The meeting will be held at the Radisson Hotel Salt Lake City Airport Coventary Room (Utah). The agenda will include (a) oral comments from interested parties and the general public, (b) identification of additional information needs, and (c) discussion of dietary supplement label information.

Public Participation at Meeting

The meeting is open to the public. However, space is limited. Both oral and written comments from the public will be accepted, but oral comments at the meeting will be limited to a maximum of five minutes per presenter; thus, organizations and persons that wish to make their views known to the Commission should use the time for oral presentation to summarize their written comments. Members of the Commission may wish to question the presenters following each oral presentation. Please request the opportunity to present oral comments in writing and provide nine (9) copies of the written comments from which the oral presentation is abstracted to the address above by March 4, 1996. If you will require a sign language interpreter, please call Sandra Saunders (202) 260–0375 by 4:30 E.S.T. on March 4, 1996.

Written Comments

By this notice, the Commission is soliciting submission of written comments, views, information and data pertinent to Commission's task. Comments should be sent to Kenneth D. Fisher, Executive Director of the Commission at the Office of Disease Prevention and Health Promotion, Room 738G, Hubert Humphrey Building, 200 Independence Ave., SW., Washington D.C. 20201, by 5:00 p.m. E.S.T. on June 30, 1996.

Dated: March 26, 1996.

Claude Earl Fox,

Deputy Assistant Secretary for Health (Disease Prevention and Health Promotion), Department of Health and Human Services.

[FR Doc. 96–7639 Filed 3–28–96; 8:45 am]

BILLING CODE 4160–17–M

Centers for Disease Control and Prevention

Citizens Advisory Committee on Public Health Service Activities and Research at Department of Energy (DOE) Sites: Savannah River Site Health Effects Subcommittee and Savannah River Site Environmental Dose Reconstruction Project—Phase II Public Workshop: Meetings

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Agency for Toxic Substances and Disease Registry (ATSDR) and the Centers for Disease Control and Prevention (CDC), announce the following meetings.

Name: Citizens Advisory Committee on Public Health Service Activities and Research at DOE Sites: Savannah River Site Health Effects Subcommittee (SRS).

Times and Dates: 9 a.m.–5 p.m., April 15, 1996; 9 a.m.–12 noon, April 16, 1996.

Place: Holiday Inn Oceanfront, One South Forest Beach Drive, Hilton Head Island, South Carolina 29928, telephone 803/842–4402, fax 803/842–3323.

Status: Open to the public, limited only by the space available. The meeting room accommodates approximately 50 people.

Background: Under a Memorandum of Understanding (MOU) signed in December 1990 with DOE, the Department of Health and Human Services (HHS) has been given the responsibility and resources for conducting analytic epidemiologic investigations of residents of communities in the vicinity of DOE facilities, workers at DOE facilities, and other person potentially exposed to radiation or to potential hazards from non-nuclear energy production use. HHS delegated program responsibility to CDC.

In addition, an MOU was signed in October 1990 and renewed in November 1992 between ATSDR and DOE. The MOU delineates the responsibilities and procedures for ATSDR's public health activities at DOE sites required under sections 104, 105, 107, and 120 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or ''Superfund''). These activities include health consultations and public health assessments at DOE sites listed on, or proposed for, the Superfund National Priorities List and at sites that are the subject of petitions from the public; and other health-related activities such as epidemiologic studies, health surveillance, exposure and disease registries, health education, substance-specific applied research, emergency response, and preparation of toxicological profiles.

Purpose: This subcommittee is charged with providing advice and recommendations to the Director, CDC, and the Administrator, ATSDR, regarding community, American Indian Tribes, and labor concerns pertaining to CDC's and ATSDR's public health activities and research at respective DOE sites. Activities shall focus on providing a forum for community, American Indian, and labor interaction and serve as a vehicle for community concern to be expressed as advice and recommendations to CDC and ATSDR.

Matters To Be Discussed: Agenda items include: presentations from the National Center for Environmental Health (NCEH), the National Institute for Occupational Safety and Health, and the Agency for Toxic Substances and Disease Registry on the progress of current studies; an update on the workgroup selection criteria process; an update from the Radiological Assessments Corporation, and public involvement activities.

Agenda items are subject to change as priorities dictate.

Name: Savannah River Site Environmental Dose Reconstruction Project—Phase II: Public Workshop.

Time and Date: 7 p.m.–9 p.m, April 15, 1996.

Place: Holiday Inn Oceanfront, One South Forest Beach Drive, Hilton Head Island, South Carolina 29928, telephone 803/842–4402, fax 803/842–3323.

Status: Open to the public, limited only by the space available. The meeting room accommodates approximately 50 people.

Purpose: The Savannah River Site (SRS) Dose Reconstruction Project supports research which evaluates past releases of radioactive materials and chemicals from the SRS to the surrounding environment. The Project has already undergone a first phase. Phase I involved searching the site to identify and retrieve important documents to be used for dose reconstruction. Phase II will use this information to calculate chemical and radiological source terms and identify possible intake pathways (eating, drinking, and inhalation) for people who have lived in the SRS area. This workshop will focus on the information being collected to support the reconstruction of SRS-related historical doses to members of the public. Individuals with information of possible value to the study are encouraged to attend.

Agenda items are subject to change as priorities dictate.

Contact Persons for More Information: Paul G. Renard or Nadine Dickerson, Radiation Studies Branch, Division of Environmental Hazards and Health Effects, NCEH, CDC, 4770 Buford Highway, NE, (F–35), Atlanta, Georgia 30341–3724, telephone 770/488–7040, FAX 770/488–7044.

Dated: March 23, 1996.

Carolyn J. Russell,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 96–7819 Filed 3–28–96; 8:45 am]

BILLING CODE 4163–18–M

Food and Drug Administration

[Docket No. 91F–0002]

Milliken & Co.; Withdrawal of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the withdrawal, without prejudice to a future filing, of a food additive petition (FAP 1B4241), filed by Milliken & Co. proposing that the food additive regulations be amended to provide for the safe expanded use of dibenzylidene sorbitol (DBS) as a clarifying agent for olefin polymers intended for use in contact with food.

FOR FURTHER INFORMATION CONTACT: Ellen M. Waldron, Center for Food Safety and Applied Nutrition (HFS–216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–606–0202.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of February 4, 1991 (56 FR 4295), FDA announced that a food additive petition (FAP 1B4241) had been filed on behalf of Milliken & Co., P.O. Box 1927 M–400, Spartanburg, SC 29304 (currently c/o Keller and Heckman, 1001 G St. NW., suite 500 West, Washington, DC 20001). The petition proposed to amend the food additive regulations in § 178.3295 *Clarifying agents for polymers* (21 CFR 178.3295) to provide for the safe expanded use of DBS as a clarifying agent for olefin polymers intended for use in contact with food. Milliken & Co. has now withdrawn the petition without prejudice to a future filing (21 CFR 171.7).

Dated: March 18, 1996.

George H. Pauli,

Acting Director, Office of Premarket Approval, Center for Food Safety and Applied Nutrition.

[FR Doc. 96–7677 Filed 3–28–96; 8:45 am]

BILLING CODE 4160–01–F

National Institutes of Health

National Cancer Institute; Notice of Meeting

Notice is hereby given of the meeting of the National Cancer Institute Board of Scientific Advisors Prevention Program Working Group, April 17, 1996 at The Bethesda Ramada, 8400 Wisconsin Avenue, Bethesda, Maryland.

This meeting will be open to the public on April 17, from 8 a.m. to 3:30 p.m. for overview and discussion of the Institute's Prevention Program.

The meeting will be closed to the public on April 17, from 3:45 p.m. to adjournment for discussion of confidential issues relating to the review, discussion and evaluation of individual programs and projects conducted by the Clinical Trials Extramural Program. These discussions will reveal confidential trade secrets or commercial property such as patentable material, and personal information including consideration of personnel qualifications and performance, the competence of individual investigators and similar matters, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Information pertaining to the meeting may be obtained from Dr. Jack Gruber, Executive Secretary, National Cancer Institute Prevention Program Working Group, National Cancer Institute, 6130 Executive Blvd., EPN, Rm. 540, Bethesda, MD 20892, (301–496–9740). Individuals who plan to attend and need special assistance such as sign language interpretation or other reasonable accommodations should contact Dr. Jack Gruber in advance of the meeting.

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7725 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Cancer Institute; Notice of Closed Meeting

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting of the National Cancer Institute Initial Review Group:

Agenda/Purpose: To review and evaluate grant applications.

Committee Name: NCI Initial Review Group, Subcommittee D (Clinical Studies).

Date: April 12, 1996.

Time: 8:00 a.m.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, Bethesda, MD 20814.

Contact Person: John W. Abrell, Ph.D., 6130 Executive Blvd., Room 635B, Bethesda, Md 20892. Telephone: 301–496–9767.

The meeting will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Numbers: 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control.)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7726 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following Heart, Lung, and Blood Special Emphasis Panel (SEP) meetings:

Name of SEP: Refinement of New Assays for Direct Detection of Viral Nucleic Acids in Donated Blood.

Date: April 11, 1996.

Time: 7:30 p.m.

Place: Ramada Inn, 1775 Rockville Pike, Rockville, Maryland.

Contact Person: Ivan Baines, Ph.D., Two Rockledge Center, Room 7184, 6701 Rockledge Drive, Bethesda, MD 20892–7924, (301) 435–0277.

Purpose/Agenda: To review and evaluate contract proposals.

Name of SEP: Refinement of New Assays for Direct Detection of Viral Nucleic Acids in Donated Organs.

Date: April 12, 1996.

Time: 8:00 a.m.

Place: Ramada Inn, 1775 Rockville Pike, Rockville, Maryland.

Contact Person: Ivan Baines, Ph.D., Two Rockledge Center, Room 7184, 6701 Rockledge Drive, Bethesda, MD 20892–7924, (301) 435–0277.

Purpose/Agenda: To review and evaluate contract proposals.

These meetings will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

This notice is being published less than fifteen days prior to the above meetings due to the urgent need to meet timing limitations imposed by the review and funding cycle.

(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7223 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following Heart, Lung, and Blood Special Emphasis Panel (SEP) meetings:

Name of SEP: Strong Heart Study Renewal Application.

Date: April 18, 1996.

Time: 1:00 p.m.

Place: Residence Inn by Marriott, Bethesda, Maryland.

Contact Person: David M. Monsees, Ph.D., Rockledge II, Room 7178, 6701 Rockledge Drive, Bethesda, Maryland 20892–7924, (301) 435–0270.

Purpose/Agenda: To review and evaluate grant applications.

Name of SEP: Pathways—Full Scale Study.

Date: April 18, 1996.

Time: 3:00 p.m.
Place: Residence Inn by Marriott, Bethesda, Maryland.
Contact Person: David M. Monsees, Ph.D., Rockledge II, Room 7178, 6701 Rockledge Drive, Bethesda, Maryland 20892–7924, (301) 435–0270.
Purpose/Agenda: To review and evaluate grant applications.

These meetings will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Long Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7728 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Heart, Lung, and Blood Institute; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the following Heart, Lung, and Blood Special Emphasis Panel.

This meeting will be open to the public to provide concept review of proposed contract or grant solicitations.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

Name of Panel: Substitute Heart Valve Working Group.
Dates of Meeting: April 30–May 1, 1996.
Time of Meeting: 8 p.m.
Place of Meeting: Washington Hilton Hotel, 1900 Connecticut Avenue NW., Washington, DC.
Agenda: To discuss topics in bioengineering, biomaterials, fabrication, cardiology, cardiac surgery, hematology, pathology and tissue engineering related to substitute heart valves and develop recommendations for future NHLBI-supported research.
Contact Person: Paul Didisheim, M.D., NIH/NHLBI/DHVD, Rockledge II Building, Rm. 9180, 6701 Rockledge Drive, Bethesda, Maryland 20892–7940, (301) 435–0513.

(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7729 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Environmental Health Sciences; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Institute of Environmental Health Sciences (NIEHS) Special Emphasis Panel on Chromosome-Specific Probes for Non-Human Mammals (SBIR Phase I Topic 47) and Automated Scoring of Sperm with FISH Biomarkers (Topic 48), April 10, 1996, 1:00 p.m., NIEHS North Campus, Building 17, Conference Room 1713, Research Triangle Park, NC, which was published in the Federal Register on March 18, 1996 (61 FR 11085).

The meeting is changed to a telephone conference call on the same date, time, and place. As previously advertised, the meeting is closed to the public.

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7721 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting of the National Institute of Mental Health Special Emphasis Panel:

Agenda/Purpose: To review and evaluate grant applications.
Committee Name: National Institute of Mental Health Special Emphasis Panel.
Date: April 10, 1996.
Time: 2 p.m.
Place: Parklawn Building, Room 9C–26, 5600 Fishers Lane, Rockville, MD 20857.
Contact Person: Sheri L. Schwartzback, Parklawn Building, Room 9C–26, 5600 Fishers Lane, Rockville, MD 20857. Telephone: (301) 443–4843.

The meeting will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

This notice is being published less than fifteen days prior to the meeting due to the urgent need to meet timing limitations imposed by the review and funding cycle.

(Catalog of Federal Domestic Assistance Program Numbers 93.242, 93.281, 93.282)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7722 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meeting

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 United States Code Appendix 2), notice is hereby given of the following meeting:

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel.
Date: April 22, 1996.
Time: 10:00 a.m. to 2:00 p.m.
Place: Executive Plaza South, Room 400C, Bethesda, MD, (telephone conference call).
Contact Person: Marilyn Semmes, PhD., Acting Chief, Scientific Review Administrator, NIDCD/DEA/SRB, EPS Room 400C, 6120 Executive Boulevard, MSC 7180, Bethesda, MD 20892–7180, 301–496–8683.
Purpose/Agenda: To review and evaluate contract proposals. The meeting will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title, 5, United States Code. The applications and/or proposals and the discussion could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which could constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program No. 93.173 Biological Research Related to Deafness and Communication Disorders)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7722 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Meeting of the Board of Scientific Counselors

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), May 1–3, 1996, National Institutes of

Health, Building 5, Room 127, Bethesda, Maryland 20892.

In accordance with the provisions set forth in section 552b(c)(6), Title 5, U.S.C and section 10(d) of Public Law 92–463, the meeting will be closed to the public for the review, discussion and evaluation of individual intramural programs and projects conducted by the NIDDK, including consideration of personnel qualifications and performance, the competence of individual investigations, and similar items, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

A summary of the meeting and roster of members will be provided, upon request, by the Committee Management Office, National Institute of Diabetes and Digestive and Kidney Diseases, Building 31, Room 9A07, Bethesda, Maryland 20892.

For any further information, and for individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, please contact Dr. Allen Spiegel, Scientific Review Administrator, Board of Scientific Counselors, National Institutes of Health, Building 10, Room 9N–222, Bethesda, Maryland 20892, (301) 496–4128, prior to the meeting.

(Catalog of Federal Domestic Assistance Program No. 93.847–849, Diabetes, Endocrine and Metabolic Diseases; Digestive Diseases and Nutrition; and Kidney Diseases, Urology and Hematology Research, National Institutes of Health.)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7730 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Neurological Disorders and Stroke; Notice of Meeting, Board of Scientific Counselors

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Neurological Disorders and Stroke, Division of Intramural Research on May 19–21, 1996, at the National Institutes of Health, Building 36, Rm. 1B07–13, 36 Convent Drive, Bethesda, Maryland, 20892.

This meeting will be open to the public from 8:30 a.m. to 12:30 p.m. and from 1:30 p.m. to 5:00 p.m. on May 20th, and from 8:15 a.m. to 12:30 p.m. on May 21st, to discuss program planning and program accomplishments. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), Title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public from 8:00 p.m. to 10:00 p.m. on May 19th, and from 1:30 p.m. until adjournment on May 21st, for the review, discussion and evaluation of individual programs and projects conducted by the NINDS. The programs and discussions include consideration of personnel qualifications and performances, the competence of individual investigators and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Freedom of Information Coordinator, Ms. Mary Whitehead, Federal Building, Room 1012, 7550 Wisconsin Avenue, Bethesda, MD 20892, telephone (301) 496–9231 or the Executive Secretary, Dr. Story Landis, Director, Division of Intramural Research, NINDS, Building 36, Room 5A05, National Institutes of Health, Bethesda, MD 20892, telephone (301) 435–2232, will furnish a summary of the meeting and a roster of committee members upon request. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should contact the Executive Secretary in advance of the meeting.

(Catalog of Federal Domestic Assistance Program No. 13.853, Clinical Basis Research; No. 13.854, Biological Basis Research)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7732 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Diabetes and Digestive and Kidney Diseases; Meeting of the National Diabetes and Digestive and Kidney Diseases Advisory Council and its Subcommittees

Pursuant to Public Law 92–463, notice is hereby given of a meeting of the National Diabetes and Digestive and Kidney Diseases Advisory Council and its subcommittees, National Institute of Diabetes and Digestive and Kidney Diseases, on May 29–30, 1996. The meeting of the full Council will be open to the public on May 29, from 8:30 a.m. to 12 p.m. in Conference Room 6, Building 31C, National Institutes of Health, Bethesda, Maryland, to discuss administrative issues relating to Council business and special reports. The following subcommittee meetings will be open to the public May 29 from 1 p.m. to 2 p.m.: Diabetes, Endocrine and Metabolic Diseases Subcommittee meeting will be held in Conference Room 6, Building 31C; Digestive Diseases and Nutrition Subcommittee meeting will be held in Conference Room 7, Building 31C; and Kidney, Urologic and Hematologic Diseases Subcommittee meeting will be held in Conference Room 8, Building 31C. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and section 10(d) of Public Law 92–463, the meetings of the subcommittees and full Council will be closed to the public for the review, discussion and evaluation of individual grant applications. The following subcommittees will be closed to the public on May 29, from 2 p.m. to 5 p.m.: Diabetes, Endocrine and Metabolic Diseases Subcommittee; Digestive Diseases and Nutrition Subcommittee; and Kidney, Urologic and Hematologic Diseases Subcommittee. The full Council will meet in closed session on May 30 from 8:30 a.m. to 10 a.m. in Conference Room 6, Building 31C. These deliberations, whether held in a subcommittee or in the full council, could reveal confidential trade secrets or commercial property, such as patentable materials, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

A final open session of the full Council will be held from 10 a.m. to 12 p.m. to hear reports from the Division Directors.

For any further information, and for individuals who plan to attend and need special assistance such as sign language interpretation or other reasonable accommodations, please contact Dr. Walter Stolz, Executive Secretary, National Diabetes and Digestive and Kidney Diseases Advisory Council, NIDDK, Natcher Building, Room 6AS–25C, Bethesda, Maryland 20892, (301) 594–8834, in advance of the meeting.

In addition, upon request, a summary of the meeting and roster of the members may be obtained from the Committee Management Office, NIDDK, Building 31, Room 9A07, National Institutes of Health, Bethesda, Maryland 20892, (301) 496–6623.

(Catalog of Federal Domestic Assistance Program No. 93.847–849, Diabetes, Endocrine and Metabolic Diseases; Digestive Diseases and Nutrition; and Kidney Diseases, Urology and Hematology Research, National Institutes of Health.)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7733 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

National Library of Medicine; Notice of Meetings of the Board of Regents and the Extramural Programs Subcommittee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Regents of the National Library of Medicine on May 21–22, 1996, in the Board Room of the National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland. The Extramural Programs Subcommittee will meet on May 20 in Conference Room B, Building 38A, from 2 p.m. to approximately 3:30 p.m., and will be closed to the public.

The meeting of the Board will be open to the public from 9 a.m. to approximately 4:30 p.m. on May 21 and from 9 a.m. to adjournment on May 22 for administrative reports and program discussions. Attendance by the public will be limited to space available. Individuals who plan to attend and need special assistance, such as sign-language interpretation or other reasonable accommodations, should contact Mrs. Kimberly Caraballo at 301–496–4621 two weeks before the meeting.

In accordance with provisions set forth in sections 552b(c)(4), 552b(c)(6), Title 5, U.S.C. and section 10(d) of Public Law 92–463, the entire meeting of the Extramural Programs Subcommittee on May 20 will be closed to the public from 2 p.m. to approximately 3:30 p.m., and the regular Board meeting on May 21 will be closed from approximately 4:30 p.m. to 5 p.m. for the review, discussion, and evaluation of individual grant applications. These applications and the discussion could reveal confidential trade secrets or commercial property, such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Robert B. Mehnert, Chief, Office of Inquiries and Publications Management, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20894, Telephone Number: 301–496–6308, will furnish a summary of the meeting, rosters of Board members, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Program No. 93.879—Medical Library Assistance, National Institutes of Health.)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7731 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

Division of Research Grants; Notice of Closed Meetings

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following Division of Research Grants Special Emphasis Panel (SEP) meetings:

Purpose/Agenda: To review individual grant applications.
Name of SEP: Clinical Sciences.
Date: April 11, 1996.
Time: 1:00 p.m.
Place: NIH, Rockledge 2, Room 4216, Telephone Conference.
Contact Person: Dr. Harold Davidson, Scientific Review Administrator, 6701 Rockledge Drive, Room 4216, Bethesda, Maryland 20892, (301) 435–1776.

Name of SEP: Biological and Physiological Sciences.
Date: April 12, 1996.
Time: 2:00 p.m.
Place: NIH, Rockledge 2, Room 6168, Telephone Conference.
Contact Person: Dr. Syed Amir, Scientific Review Administrator, 6701 Rockledge Drive, Room 6168, Bethesda, Maryland 20892, (301) 435–1043.

Name of SEP: Microbiological and Immunological Sciences.
Date: April 12, 1996.
Time: 1:00 p.m.
Place: NIH, Rockledge 2, Room 4210, Telephone Conference.
Contact Person: Dr. Bruce A. Maurer, Scientific Review Administrator, 6701 Rockledge Drive, Room 4210, Bethesda, Maryland 20892, (301) 435–1225.

Name of SEP: Microbiological and Immunological Sciences.
Date: April 12, 1996.
Time: 3:00 p.m.
Place: NIH, Rockledge 2, Room 4210, Telephone Conference.
Contact Person: Dr. Bruce A. Maurer, Scientific Review Administrator, 6701 Rockledge Drive, Room 4210, Bethesda, Maryland 20892, (301) 435–1225.

This notice is being published less than 15 days prior to the above meetings due to the urgent need to meet timing limitations imposed by the grant review and funding cycle.

Name of SEP: Microbiological and Immunological Sciences.
Date: April 16, 1996.
Time: 1:00 p.m.
Place: NIH, Rockledge 2, Room 4194, Telephone Conference.
Contact Person: Dr. Sami Mayyasi, Scientific Review Administrator, 6701 Rockledge Drive, Room 4194, Bethesda, Maryland 20892, (301) 435–1216.

Name of SEP: Biological and Physiological Sciences.
Date: April 23, 1996.
Time: 1:00 p.m.
Place: NIH, Rockledge 2, Room 4148, Telephone Conference.
Contact Person: Dr. Philip Perkins, Scientific Review Administrator, 6701 Rockledge Drive, Room 4148, Bethesda, Maryland 20892, (301) 435–1718.

Name of SEP: Chemistry and Related Sciences.
Date: April 24, 1996.
Time: 8:30 a.m.
Place: Ramada Inn, Bethesda, MD.
Contact Person: Dr. Asher Hyatt, Scientific Review Administrator, 6701 Rockledge Drive, Room 4160, Bethesda, Maryland 20892, (301) 435–1724.

Name of SEP: Clinical Sciences.
Date: April 25, 1996.
Time: 2:00 p.m.
Place: NIH, Rockledge 2, Room 4106, Telephone Conference.
Contact Person: Ms. Josephine Pelham, Scientific Review Administrator, 6701 Rockledge Drive, Room 4106, Bethesda, Maryland 20892, (301) 435–1786.

Name of SEP: Clinical Sciences.
Date: April 30, 1996.
Time: 10:00 a.m.
Place: NIH, Rockledge 2, Room 4138, Telephone Conference.
Contact Person: Dr. Anthony Chung, Scientific Review Administrator, 6701 Rockledge Drive, Room 4138, Bethesda, Maryland 20892, (301) 435–1213.

Purpose/Agenda: To review Small Business Innovation Research.
Name of SEP: Behavioral and Neurosciences.
Date: April 20, 1996.
Time: 8:30 a.m.
Place: Embassy Suites, Ft. Lauderdale, FL.
Contact Person: Dr. Samuel C. Rawlings, Scientific Review Administrator, 6701 Rockledge Drive, Room 5160, Bethesda, Maryland 20892, (301) 435–1243.

The meetings will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Nos. 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 25, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–7724 Filed 3–28–96; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. FR–3774–N–05]

Announcement of Funding Awards for the Comprehensive Improvement Assistance Program, FY 1995

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Announcement of funding awards.

SUMMARY: In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this announcement notifies the public of funding decisions made by the Department in a competition for funding under the Notice of Funding Availability (NOFA) for the Comprehensive Improvement Assistance Program (CIAP) for Fiscal Year 1995. The announcement contains the names and addresses of the competition awardees and the amount of the awards.

FOR FURTHER INFORMATION CONTACT: William Flood, Director, Office of Capital Improvements, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4134, Washington, DC 20410, telephone (202) 708–1640. [This is not a toll-free number].

IHAs may contact Dom Nessi, Director, Office of Native American Programs, Department of Housing and Urban Development, 451 Seventh Street, SW., Room B–133, Washington, DC 20410, telephone (202) 755–0032. [This is not a toll-free number]. Hearing or speech impaired persons may use the Telecommunications Devices for the Deaf (TDD) by contacting the Federal Information Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: The Comprehensive Improvement Assistance Program is authorized by sec. 14, United States Housing Act of 1937 (42 U.S.C. 14371); sec. 7(d) Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

The objective of the Comprehensive Improvement Assistance Program (CIAP) is to provide funds to improve the physical condition and upgrade the management and operation of existing Public and Indian Housing projects to assure that they continue to be available to serve low-income families.

On January 20, 1995 (60 FR 4352), the Department published a NOFA in the Federal Register informing Public Housing Agencies and Indian Housing Authorities that own or operate fewer than 250 units of the availability of FY 1995 CIAP funding. The FY 1995 awards announced in this Notice were selected for funding consistent with the provisions of the NOFA.

In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, the Department is hereby publishing, in this notice, the names and addresses of the PHAs and IHAs that received funding awards under the FY 1995 CIAP NOFA, and the amount of the awards. This information is set forth in Appendix A to this notice.

Dated: March 25, 1996.

Michael B. Janis,

General Deputy Assistant, Secretary for Public and Indian Housing.

Appendix A.—State Offices Comprehensive Improvement Assistance Program Awardees Fiscal Year 1995

Alabama State Office

Abbeville	$355,450
Altoona	521,470
Ashford	899,900
Ashland	61,450
Berry	420,374
Bridgeport	42,000
Childersburg	850,625
Clanton	457,295
Columbiana	550,000
Dadeville	490,885
Demopolis	400,000
Fayette	1,239,036
Guin	504,375
Leeds	1,028,950
Livingston	284,600
Millport	491,233
Piedmont	716,373
Ragland	588,922
Samson	403,061
Stevenson	292,408
Sulligent	1,019,657
Tuscumbia	165,000
Uniontown	732,961
Vernon	120,450
Vincent	345,700
Total	12,982,175

Arizona State Office

Glendale	$1,205,774
Peoria	351,666
South Tucson	938,632
Williams	223,100
Yuma City	719,480
Total	3,438,652

Arkansas State Office

Alma	$235,257

Appendix A.—State Offices Comprehensive Improvement Assistance Program Awardees Fiscal Year 1995—Continued

Atkins	344,155
Brinkley	78,685
Carthage	132,067
Dover	115,293
Earle	99,303
Gurdon	243,630
Hoxie	108,357
Judsonia	71,597
Leachville	143,427
Little River	550,687
Mena	1,340,716
Morrilton	674,554
Mt Ida	324,636
Ola	536,968
Polk County	1,069,594
Prescott	85,500
Stephens	360,823
Waldron	255,065
Warren	1,277,818
Wilson	131,526
Total	8,179,658

Buffalo Area Office

Dunkirk	$1,110,036
Herkimer	104,354
Hudson	940,600
Jamestown	1,806,450
Malone	438,471
Norwich	421,500
Tupper Lake	856,220
Wilna	188,000
Total	5,865,631

California State Office

Benecia	$990,922
Eureka	1,000,000
Mendocino	455,000
Pleasanton	260,000
Riverbank	99,000
San Mateo County	95,000
Santa Cruz	675,000
South San Francisco	760,000
Total	4,334,922

Cincinnati Area Office

Adams Metropolitan	$223,537
Clermont Metropolitan	289,156
Clinton Metropolitan	27,000
Miami Metropolitan	650,798
Total	1,190,491

Cleveland Area Office

Geauga Metropolitan	$610,625
Harrison Metropolitan	297,888
Sandusky Metropolitan	479,032
Total	1,387,545

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Colorado State Office

Colorado:	
Alamosa	$229,468
Antonito	292,042
Boulder County	163,065
Cheyenne Wells	54,524
Conejos County	38,050
Englewood	197,186
Fort Lupton	328,848
Fountain	301,239
Grand Junction	76,111
Greeley	10,000
Haxtun	36,600
Jefferson County	760,542
Julesburg	10,500
Lakewood	836,325
Littleton	81,770
Sterling	113,485
Walsenburg	482,218
Wray	21,260
Yuma	9,724
Colorado total	4,042,957
Montana:	
Glasgow	$869,178
Richland County	$63,869
Whitefish	227,688
Montana total	1,160,735
North Dakota:	
Cass County	$1,977,540
Mercer County	1,381,891
North Dakota total	3,359,431
South Dakota:	
Meade County	$73,745
Wessington Springs	324,431
South Dakota total	398,176
Wyoming:	
Casper	$2158,912
Evanston	325,808
Lusk	202,020
Wyoming total	686,740
Grand total	9,648,039

Connecticut State Office

Glastonbury	$1,055,000
Nangatuck	230,757
Norwich	195,000
Putnam	350,000
Seymour	226,636
Vernon	174,000
West Hartford	5,000
Winchester	285,575
Total	2,521,968

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

District of Columbia Office

Rockville	$458,886

Georgia State Office

Adairsville	$8,000
Adel	20,000
Baxley	1,552,600
Blakely	25,000
Blue Ridge	160,500
Butler	895,000
Canton	1,140,092
Cave Springs	222,300
Chatsworth	131,000
Clayton	450,424
Cornelia	1,004,250
Franklin	21,250
Glennville	421,300
Greensboro	307,430
Hahira	15,000
Homerville	20,000
Jesup	886,950
Lakeland	18,000
Lavonia	388,028
Lawrenceville	782,300
Lee Co.	112,000
Lincolnton	562,725
Loganville	983,597
Louisville	227,900
Manchester	80,000
Metter	90,900
Nashville	263,300
Reynolds	35,000
Ringgold	183,800
Royston	442,750
Senoia	295,975
Statesboro	142,200
Summerville	1,517,663
Tallapoosa	149,300
Thomson	93,500
Unadilla	32,000
Union Point	210,000
Vidalia	453,900
Vienna	35,000
Washington	197,000
Total	14,577,934

Grand Rapids Area Office

Alma	$950,000
Bronson	638,041
Cadilla	472,000
Coldwater	1,448,970
Dowagiac	54,000
Elk Rapid	6,000
Hillsdale	661,309
Iron County	433,562
Mackinac County	150,000
Menominee	819,700
Mount Pleasant	100,000
Paw Paw	478,000
South Haven	1,990,000
Total	8,261,582

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Houston Area Office

Bay City	$265,562
Baytown	1,000,000
Bellville	45,000
Calvert	70,000
Center	31,900
Cleveland	300,000
Corrigan	144,618
El Campo	150,000
Garrison	160,000
Grapeland	415,000
Jasper	150,000
Livingston	140,000
Newton	400,000
Orange County	825,410
San Augustine	90,000
Texas City	276,437
Woodville	115,000
Total	4,578,927

Illinois State Office

Bond	$131,910
Calhoun	196,075
Cass	338,150
Clark	195,500
Clay	861,250
Cumberland	308,125
Edwards	163,500
Grundy	151,250
Hamilton	33,750
Jersey	36,400
JoDaviess	18,750
Lawrence	58,875
Lee	606,250
Mason	1,648,300
Menard	1,395,900
Pekin	330,500
Pope	554,700
Randolph	1,371,000
Scott	477,725
Vermilion	32,100
Wabash	289,755
Wayne	583,000
Total	9,782,765

Indiana State Office

Delaware County	$1,205,609
Greendale	177,347
Kendallville	795,250
Linton	95,065
New Castle	587,532
Peru	258,600
Rome City	30,000
Tell City	188,000
Total	3,337,403

Iowa State Office

Afton	$216,222
Area 15	245,570
Avenport	296,400
Central Iowa	172,218

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Clarinda	300,154
Clinton	112,905
Corning	215,163
Eastern Iowa	152,329
Farragut	91,455
Ft. Dodge	558,364
Hamburg	56,082
Iowa City	133,287
Keokuk	169,962
Lone Tree	113,100
Manning	62,400
Mt Ayr	33,891
Muscatine	70,902
North Iowa	58,890
Red Oak	139,504
Shenandoah	389,454
Sioux Center	144,358
Waverly	78,390
Winterset	56,871
Total	3,867,871
Jacksonville Area Office	
Arcadia	$212,000
Avon Park	407,098
Bartow	149,400
Boca Raton	51,576
Brooksville	282,248
Chipley	105,600
Deerfield Beach	50,478
Defuniak Springs	85,000
Deland	851,331
Delray Beach	153,629
Dunedin	354,739
Fernandina Beach	284,000
Fort Walton Beach	237,351
Lee County	218,213
Live Oak	497,163
Macclenny	320,417
Marianna	232,186
Niceville	234,630
Ormond Beach	14,814
Pasco County	181,395
Plant City	262,227
Punta Gorda	468,525
Riviera Beach	111,815
Springfield	137,151
Stuart	165,151
Suwannee County	362,247
Tarpon Springs	330,612
Union County	355,313
Venice	43,483
Winter Haven	833,042
Winter Park	74,143
Total	8,066,977
Kansas/Missouri State Office	
Anderson, MO	$127,100
Atchison, KS	700,000
Atwood, KS	30,000
Belleville, KS	85,000
Bethany, MO	237,500
Bird City, KS	86,700
Blue Rapids, KS	65,500
Brookfield, MO	162,700
Burrton, KS	90,000
Cawker City, KS	30,000
Chanute, KS	227,800
Clinton, MO	473,000
Colby, KS	375,000
Columbus, KS	6,261
Excelsior Spgs, MO	800,000
Fort Scott, KS	445,000
Goodland, KS	263,600
Great Bend, KS	400,000
Greenleaf, KS	55,000
Higginsville, MO	460,000
Hill City, KS	40,500
Howard, KS	35,000
Kinsley, KS	51,000
Lanagan, MO	77,300
Lawson, MO	260,000
Lebanon, MO	385,000
Lee's Summit, MO	157,000
Luray, KS	86,800
Marceline, MO	120,850
Marionville, MO	170,000
Marshall, MO	110,000
Maryville, MO	400,000
Medicine Lodge, KS	25,000
Mound City, MO	160,000
Neodesha, KS	220,000
Neosho, MO	400,000
Nevada, MO	450,000
Nicodemus, KS	60,000
Noel, MO	439,430
Norton, KS	98,000
Princeton, MO	130,100
Richmond, MO	260,300
St. Joseph, MO	292,800
Salina, KS	50,000
Seneca, KS	76,600
Slater, MO	95,000
Smithville, MO	60,000
Solomon, KS	60,000
Southwest City, MO	98,900
Stafford, KS	160,000
Tarkio, MO	260,000
Waterville, KS	78,500
Total	10,488,241
Kentucky State Office	
Barbourville	$320,000
Bardstown	500,000
Beattyville	440,000
Cadiz	200,000
Catlettsburg	450,000
Cumberland	546,000
Eminence	50,000
Floyd County	338,000
Franklin	964,000
Fulton	500,000
Harlan	275,000
Harrodsburg	230,000
Horse Cave	614,000
Irvine	300,000
Jefferson County	500,000
Knott County	184,000
Lancaster	245,000
Lawrence County	250,000
Lebanon	603,000
Llyon County	300,000
Madisonville	440,000
Mayfield	200,000
Monticello	172,000
Morehead	500,000
Mt. Sterling	552,500
Mt. Vernon	210,000
Murray	370,000
Paris	500,000
Pineville	120,000
Prestonsburg	30,000
Princeton	228,670
Providence	170,000
Radcliff	100,000
Russellville	80,000
Shelbyville	150,000
Stanford	396,000
Vanceburg	352,100
Whitesburg	600,000
Total	12,980,270
Knoxville Area Office	
Erwin	$735,275
Grundy County	142,265
Jefferson City	191,878
Jellico	197,000
Knox County	1,229,694
Total	2,469,112
Los Angeles Area Office	
Baldwin Park	$281,500
Needles	248,598
Paso Robles	299,607
Port Hueneme	526,020
San Luis Obispo	1,361,450
Upland	357,130
Wasco	207,300
Total	3,281,605
Louisiana State Office	
Arcadia	$150,000
Basile	22,500
Berwick	3,000
Breaux Bridge	22,500
Bunkie	200,000
Caldwell Parish	3,000
Church Point	410,000
Colfax	325,000
Denham Springs	175,000
DeQuincy	316,900
DeRidder	362,000
East Carroll Parish	1,500
Eunice	275,000
Ferriday	1,500
Gibsland	1,500
Grambling	25,000
Grant Parish	1,500
Gueydan	75,000
Homwer	315,000
Jefferson Parish	180,000
Jennings	150,000
Kaplan	450,000
Kenner	300,000
Lake Arthur	286,000
Leesville	207,500
Mamou	275,000

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Mansfield	204,820
Marksville	400,000
Merryville	306,600
Minden	165,000
Natchitoches Parish	750,000
New Iberia	200,000
New Roads	1,500
Oil City	325,000
Parks	1,500
Patterson	125,000
Pineville	356,000
Ponchatoula	228,000
Rapides Parish	350,000
Rayville	797,421
Simmesport	387,000
Slidell	165,000
South Landry	45,000
St. Charles Parish	322,000
St. Landry	65,000
St. Martinville	3,000
Sulphur	190,000
S.W. Acadia	250,000
Vinton	306,000
Welsh	108,940
White Castle	3,000
Winnfield	241,000
Total	10,831,181
Maryland State Office	
Allegany County	$96,426
Calvert County	108,400
Cambridge	200,000
Easton	160,000
Frostburg	150,000
Havre De Grace	84,000
St. Michaels	88,000
Queen Anne's County	176,000
Washington County	64,520
Total	1,127,346
Massachusetts State Office	
Amherst	$166,000
Barnstable	89,000
Beverly	1,030,000
Clinton	485,000
Falmouth	237,000
Fitchburg	416,000
Lexington	345,000
Maynard	374,000
Medway	33,000
Needham	246,431
Newburyport	235,000
Newton	715,000
Northampton	722,000
North Andover	44,000
Pembroke	267,000
Plymouth	202,000
Rockland	75,000
Salem	225,000
Saugus	168,000
Wakefield	391,000
Weymouth	131,000
Winchendon	324,000
Woburn	207,000

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Total	7,127,431
Michigan State Office	
Algonac	$246,000
Alpena	601,500
Eastpointe	825,000
East tawas	220,500
Ferndale	204,000
Highland park	1,363,000
Marysville	551,500
Romulus	293,953
Royal oak township	555,000
Wayne	303,000
Ypsilanti	387,000
Total	5,550,453
Minnesota State Office	
Aitkin County	$476,000
Barnesville	247,000
Blue Earth	493,000
Braham	100,000
Cass Lake	518,810
Chisholm	417,908
Gilbert	300,000
Hutchinson	210,000
International Falls	21,500
Marshall	316,000
Montevideo	150,000
Moorhead	187,000
Moose Lake	753,900
Mountain Lake	96,000
North Mankato	127,000
Olmsted County	154,000
Red Wing	237,000
Sleepy Eye	500,000
SE MN Multi-County	450,000
St. James	190,000
Staples	600,000
Thief River Falls	875,000
Tracy	207,000
Willmar	460,000
Total	8,087,118
Mississippi State Office	
Amory	$1,534,799
Bay St. Louis	917,850
Hattiesburg	1,376,800
Summit	828,000
Total	4,657,449
North Carolina State Office	
Ahoskie	$160,000
Albemarle	160,000
Andrews	172,824
Ashevoro	240,000
Ayden	160,000
Belmont	160,000
Benson	166,368
Bladenboro	180,000
Brevard	160,000
Clarkton	161,780
Concord	195,580
Dunn	160,000

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Edenton	160,000
Fairmont	160,000
Farmville	168,000
Forest City	160,000
Hamlet	158,980
Hertford	160,000
Lincolnton	160,000
Lenoir	160,000
Madison	80,800
Mars Hill	180,000
Marshall	160,520
Maxton	70,600
Monroe	113,380
Mooresville	160,000
Mount Holly	104,680
Murphy	172,824
North Wilkesboro	173,760
Oxford	191,392
Pembroke	222,471
Plymouth	160,000
Princeville	160,000
Randleman	160,000
Reidsville	275,000
Rockingham	160,000
Roxboro	232,000
Selma	143,372
Smithfield	600,000
Southern Pines	180,000
Spruce Pine	200,000
Tarboro	160,000
Troy	164,992
Valdese	160,000
Vance County	134,720
Wadesboro	187,600
Whiteville	160,000
Total	8,231,643
Nebraska State Office	
Ainsworth	$46,000
Albion	62,000
Alma	34,500
Aurora	74,000
Byard	60,000
Beemer	32,900
Bellevue	82,000
Benkelman	49,900
Blair	105,000
Burwell	25,000
Cambridge	65,000
Clarkson	36,474
Creighton	71,706
Coleridge	26,500
Crete	110,000
Curtis	33,500
Deshler	57,000
Douglas County	100,000
Friend	52,500
Gothenburg	54,000
Hay Springs	46,500
Hemingford	55,000
Humboldt	52,500
Indianola	64,000
Kearney	111,000
Lexington	116,000
Loup city	60,000
Lyons	64,000
Minden	59,500
Nebraska city	56,000

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Neligh	180,500
Newman grove	63,000
Niobrara	75,000
Oakland	107,500
Ord	98,000
Pawnee city	87,000
Plattsmouth	91,000
Ravenna	21,500
Red cloud	125,000
Schuyler	49,200
Shelton	35,000
St. Edward	60,000
St. Paul	34,500
Stanton	52,600
Stromsburg	61,000
Sutherland	66,000
Tilden	27,000
Verdigre	58,000
Wayne	75,000
Wilber	4,500
Wood river	29,500
Wymore	45,000
Total	3,308,280
New Hampshire State Office	
Auburn	$230,000
Bar Harbor	171,500
Bath	57,600
Bennington	150,000
Brewer	285,000
Brunswick	130,000
Claremont	165,000
Ellsworth	45,000
Exeter	115,000
Keene	257,000
Laconia	150,000
Mount Desert	55,500
Newmarket	175,000
Old town	260,000
Presque Isle	130,000
Rochester	245,000
Sanford	269,000
Somersworth	210,000
Southwest Harbor	82,000
Tremont	105,000
Van Buren	248,680
Waterville	293,000
Westbrook	165,000
Winooski	106,300
Total	4,100,580
New Jersey State Office	
Belmar	$40,000
Boonton	80,000
Buena	69,000
Burlington	105,000
Cape may	1,410,520
Clementon	57,000
Collingswood	125,000
Dover	479,000
Edison	261,661
Freehold	201,060
Glassboro	504,440
Highlands	467,750
Linden	220,000
Lodi	179,500
Madison	300,000
Middletown	197,500
Morris county	254,232
Newton	129,615
Ocean city	110,000
Penns grove	563,356
Pleasantville	140,800
Princeton	345,930
Red bank	132,000
Secaucus	420,000
South amboy	180,000
Weehawken	175,000
Wildwood	274,104
Total	7,422,468
New Mexico State Office	
Village of Maxwell	$41,500
City of Artesia	625,000
Village of Pecos	100,000
City of Bayard	190,000
Rio Arriba County	54,000
Santa fe County	365,135
City of Espanola	523,700
Town of Springer	126,500
Town of Taos	445,000
Taos County	444,000
Village of Central	264,000
Truth or Consequences	483,000
Total	3,661,835
New York State Office	
Beacon	$355,000
Ellenville	83,900
Great Neck	157,200
Greenburgh	528,000
Huntington	104,300
Kingston	200,900
Monticello	360,150
Mount Kisco	129,995
Newburgh	11,000
North Hempstead	106,000
North Tarrytown	67,050
Port Jerivs	182,825
Ramapo	421,921
Rockville Centre	69,950
Spring Valley	76,500
Tarrytown	125,000
Tuckahoe	60,500
Woodridge	110,500
Total	3,150,691
Ohio State Office	
Allen Metropolitan	$219,402
Athen Metropolitan	321,770
Cambridge Metropolitan	288,650
Coshocton Metropolitan	242,990
Fairfield Metropolitan	98,020
Hocking Metropolitan	153,689
Jackson Metropolitan	452,080
Logan Metropolitan	158,100
London Metropolitan	236,000
Morgan Metropolitan	444,000
Noble Metropolitan	68,500
Perry Metropolitan	151,845
Pike Metropolitan	226,100
Total	3,061,146
Oklahoma State Office	
Atoka	$100,000
Coalgate	380,000
Del City	250,000
Ft. Gibson	400,000
Grandfield	245,000
Haileyville	151,300
Hartshorne	265,000
Idabel	567,000
Indiahoma	151,015
Miami	500,000
Mountain Park	188,000
Norman	100,000
Picher	350,000
Ponca City	450,000
Seminole	100,000
Stigler	68,000
Stroud	500,000
Terral	250,000
Valliant	45,000
Weleetka	200,000
Total	5,260,315
Offices of Native American Programs (ONAP)	
Eastern/Woodlands ONAP:	
Akwesasne	$89,030
Bad River	733,165
Grand Portage	225,195
Ho Chunk	632,300
Mille Lacs	126,837
Mohican	368,150
Penobscot	80,000
Pleasant Point	212,710
Poarch Creek	37,686
Red Cliff	788,315
Sac And Fox	170,273
Saginaw Chippewa	23,925
St. Croix	70,278
Sokaogon Chippewa	63,100
Total	3,620,964
Northern Plains ONAP:	
Santee Sioux	$496,327
Utah Paiute	505,185
Trenton	365,902
Winnebago	463,786
Flandreau	439,122
Southern Ute	460,026
Lower Brule	518,138
Total	3,248,486
Southwest ONAP:	
Campo	$461,700
Central Cal	96,000
Chemehuevi	649,600
Cocopah	486,000
Duck Valley	919,160

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

Fallon	522,000
Hoopa	370,000
Modoc Lassen	450,000
Reno Sparks	487,300
Round Valley	200,000
Shoshone Joint	698,000
Walker River	538,200
Washoe	294,500
Yavapai	315,000
Yerington	20,000
Yerington	181,600
Ysleta Del Sur	610,800
Total	7,299,860
Southern Plains ONAP:	
Kaw Tribal	$453,885
Otoe-Missouria	747,500
Pawnee Tribal	320,032
Tonkawa Tribal	1,486,800
Total	3,008,217
Northwest ONAP:	
Cascade Intertribal	$1,335,285
Coeur d'Alene	515,602
Lower Elwha	249,800
Lummi	243,000
Puyallup	50,000
Quileute	571,980
Stilliquamish Tribal	383,052
Swinomish	1,511,593
Umatilla reservation	1,112,702
Total	5,973,014
Alaska ONAP:	
Copper River Basin Regional	$363,430
Metlakatla	609,270
North Pacific Rim	269,552
Total	1,242,252
Oregon State Office:	
Ada County	$61,900
Boise City	337,725
Idaho Housing Agency	55,000
Nampa	595,700
Sicha	155,200
Idaho total	1,205,525
Douglas	$1,056,224
Lincoln County	316,000
Northeast Oregon	359,600
Umatilla	516,000
Oregon total	2,247,824
Total	3,453,349
Pennsylvania State Office	
Carbon County	$199,076
Columbia County	88,326
Cumberland County	170,151
Montour County	155,051
Northampton County	356,076
Northumberland County	451,983
Shamokin	430,006
Snyder County	74,576
Susquehanna County	188,448
Williamsport	731,071
Wyoming County	270,000
Total	3,114,764
Pittsburgh Area Office	
Connellsville	$606,900
Elk County	65,757
Franklin	1,000,000
Somerset	1,606,500
Total	3,279,157
Rhode Island State Office	
Bristol	$158,400
Burrilville	121,200
Coventry	169,700
Cumberland	363,965
Jamestown	72,700
Johnston	149,500
North Providence	618,700
Portsmouth	67,500
South Kingstown	202,100
Tiverton	80,800
Total	2,004,565
Sacramento Area Office	
Plumas County	$747,663
San Antonio Area Office	
Alamo	$128,800
Alice	120,389
Aransas Pass	47,264
Bastrop	179,000
Beeville	73,696
Brackettville	86,016
Carrizo Springs	541,655
Devine	92,960
Edcouch	250,880
Edna	70,231
Elsa	33,264
Falfurrias	141,627
Goliad	206,696
Gonzales	107,478
Gregory	161,728
Ingleside	120,736
Johnson City	95,480
Karnes City	101,581
Kenedy	207,200
Kingville	55,776
La Grange	72,016
La Joya	72,000
Lockhart	73,584
Los Fresnos	95,920
Luling	154,000
Marble Falls	130,000
Mathis	200,852
McAllen	483,672
Mission	76,634
Nixon	168,683
Pleasanton	59,752
Poteet	25,000
Port Isabel	111,093
Poth	61,013
Round Rock	84,000
Roma	297,000
Runge	89,000
Schertz	205,796
Seguin	745,590
Sinton	160,161
Smiley	55,000
Starr County	84,000
Taft	53,000
Three Rivers	97,557
Travis County	327,438
Uvalde	145,000
Waelder	297,582
Weslaco	56,000
Total	7,303,800
South Carolina State Office	
Abbeville	$141,680
Anderson	202,400
Atlantic Beach	96,909
Chester	101,604
Darlington	178,112
Fort Mill	180,419
Greenwood	202,400
Greer	141,680
Hartsville	207,096
Kingstree	192,685
Lancaster	101,200
Laurens	228,404
Marlboro County	113,344
Mullins	123,707
Woodruff	162,730
York	133,989
Total	2,508,359
St. Louis Area Office	
Bernie	131,500
Bloomfield	187,300
Cabool	54,200
Campbell	68,700
Chaffee	163,629
Clarkton	107,000
Dexter	250,800
East Praire	743,600
Fulton	731,800
Gideon	264,800
Hayti	124,000
Hillsdale	31,800
Holcomb	30,600
Kirksville	688,000
Lancaster	18,800
Macon	355,400
Mountain Grove	109,000
New Madrid	253,600
Olivette	9,700
Pagedale	219,300
Portageville	587,900
Rolla	94,800
Senath	255,700
St. Charles	429,600
Ste. Genevieve	84,700

APPENDIX A.—STATE OFFICES COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AWARDEES FISCAL YEAR 1995—Continued

West Plains	165,800
Total	6,162,029
Tennessee State Office	
Lafayette	$1,377,982
Millington	1,671,605
Parsons-Decaturville	202,788
Pulaski	351,662
Sparta	1,469,294
Total	5,073,331
Texas State Office	
Alto	$498,832
Archer City	358,910
Bangs	709,985
Beckville	123,174
Bowie County	202,873
Clifton	728,544
Coleman	476,287
Commerce	464,795
Como	157,102
Daingerfield	763,023
DeKalb	526,932
Eden	392,680
Electra	207,235
El Paso County	250,360
Gorman	71,780
Grand Saline	1,495,619
Junction	345,054
Killeen	772,212
Knox City	545,115
Levelland	481,178
Lometa	129,760
Malakoff	438,825
Mason	768,743
McGregor	776,795
McKinney	1,711,520
Memphis	755,875
Munday	60,539
New Boston	933,142
Pittsburg	364,160
Princeton	469,606
Robert Lee	484,720
Santa Anna	777,734
Tatum	321,524
Total	17,564,633
Virginia State Office	
Franklin	$583,331
Harrisonburg	23,200
Lee County	112,000
Marion	53,082
Norton	133,000
Scott County	210,271
Staunton	156,500
Waynesboro	22,566
Williamsburg	21,236
Wise County	125,500
Wytheville	125,950
Total	1,566,636
Washington State Office	
Asotin County	$230,000
Grant County	500,000
Kennewick	1,670,000
Renton	101,000
Sedro Woolley	129,215
Snohomish County	216,000
Spokane	250,000
Sunnyside	521,000
Walla Walla	86,000
Whatcom County	440,000
Yakima	450,000
Total	4,593,215
West Virginia State Office	
Benwood	$71,415
Bluefield	88,307
Buckhannon	204,455
Dunbar	165,359
Elkins	176,500
Grafton	252,707
Jackson County	146,000
Kanawha County	172,850
McMecken	40,443
Mingo County	152,414
Parkersburg	73,980
Pt. Pleasant	504,000
Romney	116,496
St. Albans	652,500
South Charleston	243,000
Weirton	189,000
Williamson	658,726
Total	3,908,152
Wisconsin State Office	
Appleton	$624,500
Ashland	429,022
Beloit	221,525
Boscobel	35,872
Bruce	67,650
Burnett County	93,800
Clintonville	107,950
Dane County	591,488
Depere	319,750
Grantsburg	143,941
Green Bay	385,295
Kaukauna	51,600
Ladysmith	559,560
Luck	71,450
Manitowoc	423,500
Marshfield	151,000
Menomonie	244,500
Merrill	175,500
Monroe	612,500
New London	146,500
Racine County	173,700
Richland Center	45,200
River Falls	152,000
Slinger	491,900
Spooner	364,320
Thorp	271,692
Trempeleau County	84,200
Washburn	165,940
Winnebago County	264,800
Wisconsin Rapids	218,000
Total	7,688,655

[FR Doc. 96–7646 Filed 3–28–96; 8:45 am]
BILLING CODE 4210–33–P

[Docket No. FR–3778–N–78]

Office of the Assistant Secretary for Community Planning and Development; Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies Underutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, room 7256, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708–1226; TDD number for the hearing- and speech-impaired, (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B–41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the day of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll-free information line at 1–800–927–7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including ZIP CODE), the date of publication in the Federal Register, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.*, acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following address: U.S. Army: Mr. Derrick Mitchell, CECPW–FP, U.S. Army Center for Public Works, 7701 Telegraph Road, Alexandria, VA 22310–3862; (703) 428–6083 (these are not toll-free numbers).

Dated: March 22, 1996.

Mark C. Gordon,

General Deputy Assistant Secretary for Community Planning and Development.

Title V. Federal Surplus Property Program, Federal Register Report for 03/29/96

Suitable/Available Properties

Buildings (by State)

Alabama

Bldg. 8913
Fort Rucker
7th Avenue
Ft. Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219140025
Status: Unutilized
Comment: 3100 sq. ft., 1 story wood, most recent use—chaplain's conference room, off-site use only.

Bldg. 8914
Fort Rucker
7th Avenue
Ft. Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219140026
Status: Unutilized
Comment: 2250 sq. ft., 1 story wood, most recent use—chaplain headquarters, off-site use only.

Bldg. TO3203, Fort Rucker
Cowboy & Crusader St.
Fort Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219210002
Status: Unutilized
Comment: 5310 sq. ft., two story wood structure, most recent use—barracks, presence of asbestos, off-site use only.

Bldg. TO3206, Fort Rucker
Cowboy & Crusader St.
Fort Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219210003
Status: Unutilized
Comment: 5310 sq. ft., two story wood structure, most recent use—barracks, presence of asbestos, off-site use only.

Bldg. TO3207, Fort Rucker
Cowboy & Crusader St.
Fort Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219210004
Status: Unutilized
Comment: 5310 sq. ft., two story wood structure, most recent use—barracks, presence of asbestos, off-site use only.

Bldg. TO3208, Fort Rucker
Cowboy & Crusader St.
Fort Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219210005
Status: Unutilized
Comment: 5310 sq. ft., two story wood structure, most recent use—barracks, presence of asbestos, off-site use only.

Bldg. TO3213, Fort Rucker
Cowboy & Crusader St.
Fort Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219210007
Status: Unutilized
Comment: 5310 sq. ft., two story wood structure, most recent use—barracks, presence of asbestos, off-site use only.

Bldg. TO3216, Fort Rucker
Cowboy & Crusader St.
Fort Rucker Co: Dale AL 36362–
Landholding Agency: Army
Property Number: 219210008
Status: Unutilized
Comment: 5310 sq. ft., two story wood structure, most recent use—barracks, presence of asbestos, off-site use only.

Bldg. 3502, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340181
Status: Unutilized
Comment: 5310 sq. ft., 2-story wood, needs rehab, presence of asbestos, most recent use—instruction bldg., off-site use only.

Bldg. 3702, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340183
Status: Unutilized
Comment: 5310 sq. ft., 2-story wood, needs rehab, most recent use—barracks, off-site use only.

Bldg. 3703, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340184
Status: Unutilized
Comment: 5310 sq. ft., 2-story wood, needs rehab, most recent use—barracks, off-site use only.

Bldg. 3704, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340184
Status: Unutilized
Comment: 5310 sq. ft., 2-story wood, needs rehab, most recent use—barracks, off-site use only.

Bldg. 3705, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340185
Status: Unutilized
Comment: 2975 sq. ft., 1-story wood, needs rehab, most recent use—general purpose, off-site use only.

Bldg. 3706, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340187
Status: Unutilized
Comment: 2975 sq. ft., 1-story wood, needs rehab, most recent use—general purpose, off-site use only.

Bldg. 3707, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340188
Status: Unutilized

Comment: 5310 sq. ft., 2-story wood, needs rehab, presence of asbestos, most recent use—barracks, off-site use only.

Bldg. 3708, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340189
Status: Unutilized
Comment: 5310 sq. ft., 2-story wood, needs rehab, presence of asbestos, most recent use—barracks, off-site use only.

Bldg. 3714, Fort Rucker
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219340190
Status: Unutilized
Comment: 5310 sq. ft., 2-story wood, needs rehab, presence of asbestos, most recent use—general purpose, off-site use only.

Bldg. T274, Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440389
Status: Unutilized
Comment: 3967 sq. ft., 1-story, most recent use—clinic, needs rehab, off-site use only.

Bldg. T421, Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440393
Status: Unutilized
Comment: 1602 sq. ft., 1-story, most recent use—support activity, needs rehab, off-site use only.

Bldgs. T614, T692
Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440394
Status: Unutilized
Comment: 2314 sq. ft. & 2685 sq. ft., 1-story bldgs., most recent use—admin., off-site use only.

7 Bldgs.
Fort McClellan
#829–831, 833, 835–836, 844
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440395
Status: Unutilized
Comment: 4425 sq. ft. each, 2-story, most recent use—barracks, off-site use only.

Bldg. T00893
Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440396
Status: Unutilized
Comment: 2369 sq. ft., 1-story, most recent use—chapel, off-site use only.

Bldgs. T903, T909
Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440397
Status: Unutilized
Comment: 1677 sq. ft. and 1166 sq. ft. bldgs., most recent use—classroom, off-site use only.

Bldgs. T916–T917, T925
Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440398
Status: Unutilized
Comment: 3075–4500 sq. ft., 1-story, most recent use—barracks, off-site use only.

Bldg. T1398
Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219440399
Status: Unutilized
Comment: 3108 sq. ft., 1-story, most recent use—classroom, needs rehab, off-site use only.

Bldg. 60101
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Landholding Agency: Army
Property Number: 219520152
Status: Unutilized
Comment: 6082 sq. ft., 1-story, most recent use—airfield fire station, off-site use only.

Bldg. 60100
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Landholding Agency: Army
Property Number: 219520153
Status: Unutilized
Comment: 64 sq. ft., metal structure, most recent use—sentry station, off-site use only.

Bldg. 60103
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Landholding Agency: Army
Property Number: 219520154
Status: Unutilized
Comment: 12516 sq. ft., most recent use—admin., off-site use only.

Bldg. 60110
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Landholding Agency: Army
Property Number: 219520155
Status: Unutilized
Comment: 8319 sq. ft., 1-story, most recent use—admin., off-site use only.

Bldg. 60113
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Landholding Agency: Army
Property Number: 219520156
Status: Unutilized
Comment: 4000 sq. ft., 1-story, most recent use—admin., off-site use only.

Bldgs. 832, 834
Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219540010
Status: Unutilized
Comment: 4425 sq. ft. each, most recent use—barracks w/o mess, off-site use only.

Alaska

Bldg. 400
Fort Richardson
Ft. Richardson AK 99505–
Landholding Agency: Army
Property Number: 219440400
Status: Unutilized
Comment: 13056 sq. ft., 2-story wood frame, presence of lead paint and asbestos, off-site use only.

Bldg. 402
Fort Richardson
Ft. Richardson AK 99505–
Landholding Agency: Army
Property Number: 219440401
Status: Unutilized
Comment: 13056 sq. ft., 2-story wood frame, presence of lead paint and asbestos, off-site use only.

Bldg. 407
Fort Richardson
Ft. Richardson AK 99505–
Landholding Agency: Army
Property Number: 219440402
Status: Unutilized
Comment: 13056 sq. ft., 2-story wood frame, presence of lead paint and asbestos, off-site use only.

Arizona

Bldg. 70117—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120306
Status: Excess
Comment: 3434 sq. ft., 1 story wood structure, presence of asbestos, most recent use—general instructional, off-site use only.

Bldg. 70118—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120307
Status: Excess
Comment: 3434 sq. ft., 1 story wood structure, presence of asbestos, most recent use—general instructional, off-site use only.

Bldg. 70119—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120308
Status: Excess
Comment: 3434 sq. ft., 1 story wood structure, presence of asbestos, most recent use—general instructional, off-site use only.

Bldg. 70120—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120309
Status: Excess
Comment: 3434 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose, off-site use only.

Bldg. 70225—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120310
Status: Excess
Comment: 3813 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose, off-site use only.

Bldg. 83006—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120311
Status: Excess
Comment: 2062 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose, off-site use only.

Bldg. 83007—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120312

Status: Excess
Comment: 2000 sq. ft., 2 story wood structure, presence of asbestos, most recent use—admin. gen. purpose, off-site use only.

Bldg. 83008—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120313
Status: Excess
Comment: 2192 sq. ft., 2 story wood structure, presence of asbestos, most recent use—admin. gen. purpose, off-site use only.

Bldg. 83015—Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219120314
Status: Excess
Comment: 2325 sq. ft., 1 story wood structure, presence of asbestos, most recent use—admin. gen. purpose, off-site use only.

Bldg. 81001
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240720
Status: Unutilized
Comment: 4386 sq. ft., 2 story wood frame, possible asbestos, most recent use—administrative, scheduled to become vacant in 6 months, off-site use only.

Bldg. 81020
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240722
Status: Unutilized
Comment: 4386 sq. ft., 2 story wood frame, possible asbestos, most recent use—administrative, scheduled to become vacant in 6 months, off-site use only.

Bldg. 67204
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240723
Status: Unutilized
Comment: 4332 sq. ft., 2 story wood frame, possible asbestos, most recent use—administrative, scheduled to become vacant in 6 months, off-site use only.

Bldg. 66151
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240728
Status: Unutilized
Comment: 4194 sq. ft., 2 story wood frame, possible asbestos, most recent use—barracks, scheduled to become vacant in 6 months, off-site use only.

Bldg. 72219
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240729
Status: Unutilized
Comment: 2730 sq. ft., 1 story wood frame, possible asbestos, most recent use—barracks, scheduled to become vacant in 6 months, off-site use only.

Bldg. 72220
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240730
Status: Unutilized
Comment: 2879 sq. ft., 1 story wood frame, possible asbestos, most recent use—barracks, scheduled to become vacant in 6 months, off-site use only.

Bldg. 72221
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240731
Status: Unutilized
Comment: 3736 sq. ft., 1 story wood frame, possible asbestos, most recent use—barracks, scheduled to become vacant in 6 months, off-site use only.

Bldg. 67108
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240733
Status: Unutilized
Comment: 2403 sq. ft., 1 story wood frame, possible asbestos, most recent use—classrooms, scheduled to become vacant in 6 months, off-site use only.

Bldg. 70226
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240734
Status: Unutilized
Comment: 1868 sq. ft., 1 story wood frame, possible asbestos, most recent use—classrooms, scheduled to become vacant in 6 months, offsite use only.

Bldg. 71116
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240735
Status: Unutilized
Comment: 3470 sq. ft., 1 story wood frame, possible asbestos, most recent use—classrooms, scheduled to become vacant in 6 months, off-site use only.

Bldg. 71215
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240736
Status: Unutilized
Comment: 4854 sq. ft., 1 story wood frame, possible asbestos, most recent use—classrooms, scheduled to become vacant in 6 months, off-site use only.

Bldg. 70110
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240739
Status: Unutilized
Comment: 2675 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70111
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240740
Status: Unutilized
Comment: 2800 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70113
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240741
Status: Unutilized
Comment: 2800 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70114
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240742
Status: Unutilized
Comment: 2544 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70115
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240743
Status: Unutilized
Comment: 2544 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70123
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240744
Status: Unutilized
Comment: 3298 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70124
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240745
Status: Unutilized
Comment: 3298 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70126
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240746
Status: Unutilized
Comment: 3343 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70210
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240747
Status: Unutilized
Comment: 3258 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70211

Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240748
Status: Unutilized
Comment: 2966 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70221
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240749
Status: Unutilized
Comment: 2526 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 70222
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240750
Status: Unutilized
Comment: 1627 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 71214
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240751
Status: Unutilized
Comment: 3779 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 82013
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240752
Status: Unutilized
Comment: 2193 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 90327
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240753
Status: Unutilized
Comment: 279 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—offices, off-site use only.

Bldg. 71213
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240754
Status: Unutilized
Comment: 3779 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—storehouse, off-site use only.

Bldg. 82007
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240755
Status: Unutilized
Comment: 4386 sq. ft., 1 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—storehouse, off-site use only.

Bldg. 82009
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219240756
Status: Unutilized
Comment: 2444 sq. ft., 2 story wood frame, possible asbestos, scheduled to become vacant in 6 months, most recent use—storehouse, off-site use only.

Bldg. 70216, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310287
Status: Excess
Comment: 3725 sq. ft., 1-story wood, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 70215, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310288
Status: Excess
Comment: 3706 sq. ft., 1-story wood, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 70214, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310289
Status: Excess
Comment: 3142 sq. ft., 1-story wood structure, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 70212, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310290
Status: Excess
Comment: 3534 sq. ft., 1-story wood, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 70220, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310291
Status: Excess
Comment: 1249 sq. ft., 1-story wood, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 70218, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310292
Status: Excess
Comment: 3475 sq. ft., 1-story wood, presence of asbestos, most recent use—classroom, off-site use only.

Bldg. 70217, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310293
Status: Excess
Comment: 304 sq. ft., 1-story concrete block, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 80010, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310294
Status: Excess
Comment: 2318 sq. ft., 1-story wood, presence of asbestos, most recent use—admin.

Bldg. 84103, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310296
Status: Excess
Comment: 984 sq. ft., 1-story, presence of asbestos and lead paint, most recent use—admin.

Bldg. 67101, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310297
Status: Excess
Comment: 2216 sq. ft., 1-story wood, presence of asbestos and lead paint, most recent use—classroom.

Bldg. 30012, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219310298
Status: Excess
Comment: 237 sq. ft., 1-story block, most recent use—storage.

Bldg. S–120
Yuma Proving Ground
Yuma Co: Yuma/LaPaz AZ 85365–9104
Landholding Agency: Army
Property Number: 219320202
Status: Underutilized
Comment: 6845 sq. ft., 1-story, wood frame, presence of asbestos, most recent use—bowling center, scheduled to be vacated 11/15/93.

Bldg. 67221
U.S. Army Intelligence Center, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219330235
Status: Unutilized
Comment: 1068 sq. ft., 1-story wood, presence of asbestos, most recent use—office, off-site use only.

Bldg. 83102
U.S. Army Intelligence Center, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219330236
Status: Unutilized
Comment: 984 sq. ft., 1-story wood, presence of asbestos, most recent use—office, off-site use only.

Bldg. 84010
U.S. Army Intelligence Center, Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219330237
Status: Unutilized
Comment: 2147 sq. ft., 1-story wood, presence of asbestos, most recent use—office, off-site use only.

Bldg. S–1005
Yuma Proving Ground
Yuma Co: Yuma/LaPaz AZ 85365–9104
Landholding Agency: Army
Property Number: 219340198
Status: Unutilized
Comment: 176 sq. ft., 1-story, cold storage bldg., needs repair, off-site use only.

Bldg. 67116
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410243
Status: Unutilized
Comment: 1784 sq. ft.; 1-story; wood; most recent use—admin.; off-site use only.

Bldg. 67205
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410244
Status: Unutilized
Comment: 2166 sq. ft.; 2-story; wood; most recent use—admin.; off-site use only.

Bldg. 67207
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410245
Status: Unutilized
Comment: 2166 sq. ft.; 2-story; wood; most recent use—admin.; off-site use only.

Bldg. 67213
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410246
Status: Unutilized
Comment: 2594 sq. ft.; 1-story; wood; most recent use—admin.; off-site use only.

Bldg. 73913
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410247
Status: Unutilized
Comment: 910 sq. ft.; 1 story; wood; most recent use—admin.; off-site use only.

Bldg. 80001
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410248
Status: Unutilized
Comment: 1958 sq. ft.; 1 story; wood; most recent use—admin.; off-site use only.

Bldg. 83027
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410249
Status: Unutilized
Comment: 1993 sq. ft.; 1 story; wood; most recent use—admin.; off-site use only.

Bldg. 84007
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410250
Status: Unutilized
Comment: 2000 sq. ft.; 1 story; wood; most recent use—admin.; off-site use only.

Bldg. 68320
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410251
Status: Unutilized
Comment: 1531 sq. ft.; 1 story; wood; most recent use—recreation center; off-site use only.

Bldg. 30126
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410252
Status: Unutilized
Comment: 9324 sq. ft.; 1 story; wood; most recent use—maintenance; off-site use only.

Bldg. 84014
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219410253
Status: Unutilized
Comment: 2260 sq. ft.; 1 story; wood; most recent use—admin.; off-site use only.

Bldg. S–106
Yuma Proving Ground
Yuma Co: Yuma/La Paz AZ 85365–9104
Landholding Agency: Army
Property Number: 219420345
Status: Underutilized
Comment: 1101 sq. ft., 1-story, cold storage bldg., needs repair.

Bldgs. 67210, 67217
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219420347
Status: Unutilized
Comment: 1165 sq. ft.; 1 story; wood; presence of asbestos, most recent use—office, off-site use only.

Bldg. 80005
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219430245
Status: Unutilized
Comment: 1718 sq. ft.; 1 story; wood; most recent use—instructional bldg., needs repair, off-site use only.

Bldg. 80006
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219430246
Status: Unutilized
Comment: 1628 sq. ft.; 1 story; wood frame; most recent use—instructional bldg.; needs repair, off-site use only.

Bldg. 83023
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219430247
Status: Unutilized
Comment: 1648 sq. ft.; 1 story; wood frame; most recent use—instructional bldg.; needs repair, off-site use only.

Bldg. 81027
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219430248
Status: Unutilized
Comment: 2193 sq. ft.; 1 story; wood frame; most recent use—admin.; needs repairs, off-site use only.

Bldg. 81028
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219430249
Status: Unutilized
Comment: 2193 sq. ft.; 2 story; wood frame; most recent use—admin.; needs repair, off-site use only.

Bldg. 80111
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219430250
Status: Unutilized
Comment: 2032 sq. ft.; 1 story; wood frame; most recent use—instructional bldg., needs repair, off-site use only.

Bldg. 503, Yuma Proving Ground
Yuma Co: Yuma AZ 85365–9104
Landholding Agency: Army
Property Number: 219520073
Status: Underutilized
Comment: 3789 sq. ft., 2-story, major structural changes required to meet floor loading & fire code requirements, presence of asbestos.

Bldgs. 63001, 80112
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219520157
Status: Excess
Comment: 1898–2000 sq. ft., 1-story, presence of asbestos and lead base paint, off-site use only.

9 Classroom Facilities
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: Bldgs. 67111, 67118, 67124, 67209, 81005, 81006, 81008, 83024, 84003
Landholding Agency: Army
Property Number: 219520158
Status: Excess
Comment: 1044–2602 sq. ft., 1–2 story, presence of asbestos and lead base paint, off-site use only.

Bldg. 67214
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219520159
Status: Excess
Comment: 955 sq. ft., 1 story, most recent use—rec. bldg., presence of asbestos and lead base paint, off-site use only.

2 Storage Facilities
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: Bldgs. 72320, 80017
Landholding Agency: Army
Property Number: 219520160
Status: Excess
Comment: 2340 sq. ft.; 1–2 story; presence of asbestos and lead base paint, off-site use only.

10 Admin. Facilities
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: Bldgs. 80025, 80027, 80028, 80102, 81002, 81009, 81102, 83025, 83026, 84008
Landholding Agency: Army
Property Number: 219520161
Status: Excess
Comment: 996–2193 sq. ft.; 1–2 story; presence of asbestos and lead base point, off-site use only.

12 Admin. Facilities
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–

Location: Bldgs. 67110, 67114, 67115, 67121, 67122, 67226, 67228, 70122, 80008, 80009, 80013, 80024
Landholding Agency: Army
Property Number: 219520162
Status: Excess
Comment: 1041–3298 sq. ft.; 1–2 story; presence of asbestos and lead base paint, off-site use only.

10 Barracks
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: Bldgs. 67102–67106, 67125–67129
Landholding Agency: Army
Property Number: 219520163
Status: Excess
Comment: 1352–2291 sq. ft.; 2-story; presence of asbestos and lead base paint, off-site use only.

Bldgs. 51449, 73903, 73904
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219520164
Status: Excess
Comment: 40–5300 sq. ft., 1-story, most recent use—maint. shops, presence of asbestos & lead base paint, off-site use only.

Georgia

Bldg. 5390
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219010137
Status: Unutilized
Comment: 2432 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 5362
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219010147
Status: Unutilized
Comment: 5559 sq. ft.; most recent use—service club; needs rehab.

Bldg. 5392
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219010151
Status: Unutilized
Comment: 2432 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 5391
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219010152
Status: Unutilized
Comment: 2432 sq. ft.; most recent use—dining room; needs rehab.

Bldg. 4605
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011493
Status: Unutilized
Comment: 915 sq. ft., buildings in poor condition, major construction needed to be made habitable.

Bldg. 4487
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011681
Status: Unutilized
Comment: 1868 sq. ft.; most recent use—telephone exchange bldg.; needs substantial rehabilitation; 1 floor.

Bldg. 4319
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011683
Status: Unutilized
Comment: 2584 sq. ft.; most recent use—vehicle maintenance shop; needs substantial rehabilitation; 1 floor.

Bldg. 3400
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011694
Status: Unutilized
Comment: 2570 sq. ft.; most recent use—fire station; needs substantial rehabilitation; 1 floor.

Bldg. 2285
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011704
Status: Unutilized
Comment: 4574 sq. ft.; most recent use—clinic; needs substantial rehabilitation; 1 floor.

Bldg. 4092
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011709
Status: Unutilized
Comment: 336 sq. ft.; most recent use—inflamable materials storage; needs substantial rehabilitation; 1 floor.

Bldg. 4089
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219011710
Status: Unutilized
Comment: 176 sq. ft.; most recent use—gas station; needs substantial rehabilitation; 1 floor.

Bldg. 1235
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219014887
Status: Unutilized
Comment: 9367 sq. ft.; 1 story building; needs rehab; most recent use—General Storehouse.

Bldg. 1236
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219014888
Status: Unutilized
Comment: 9367 sq. ft.; 1 story building; needs rehab; most recent use—General Storehouse.

Bldg. 1251
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219014889
Status: Unutilized
Comment: 18385 sq. ft.; 1 story building; needs rehab; most recent use—Arms Repair Shop.

Bldg. 4491
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219014916
Status: Unutilized
Comment: 18240 sq. ft.; 1 story building; needs rehab; most recent use—Vehicle maintenance shop.

Bldg. 4633
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219014919
Status: Unutilized
Comment: 5069 sq. ft.; 1 story building; needs rehab; most recent use—Training Building.

Bldg. 4649
Fort Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219014922
Status: Unutilized
Comment: 2250 sq. ft.; 1 story building; needs rehab; most recent use—Headquarters Building.

Bldg. 2150
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219120258
Status: Unutilized
Comment: 3909 sq. ft. 1 story, needs rehab, most recent use—general inst. bldg.

Bldg. 2409
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219120263
Status: Unutilized
Comment: 9348 sq. ft. 1 story, needs rehab, most recent use—general purpose warehouse.

Bldg. 2590
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219120265
Status: Unutilized
Comment: 3132 sq. ft. 1 story, needs rehab, most recent use—vehicle maintenance shop.

Bldg. 3828
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219120266
Status: Unutilized
Comment: 628 sq. ft. 1 story, needs rehab, most recent use—general storehouse.

Bldg. 3086, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220688
Status: Unutilized
Comment: 4720 sq. ft. 2 story, recent use—barracks, needs major rehab, off-site removal only.

Bldg. 3089, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220689
Status: Unutilized
Comment: 4720 sq. ft. 2 story, recent use—barracks, needs major rehab, off-site removal only.

Bldg. 3092, Fort Benning
Ft. Benning Co: Muscogee GA 31905–

Landholding Agency: Army
Property Number: 219220690
Status: Unutilized
Comment: 4720 sq. ft. 2 story, recent use—barracks, needs major rehab, off-site removal only.

Bldg. 1252, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220694
Status: Unutilized
Comment: 583 sq. ft., 1 story, most recent use—storehouse, needs major rehab, off-site removal only.

Bldg. 1678, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220697
Status: Unutilized
Comment: 9342 sq. ft., 1 story, most recent use—storehouse, needs major rehab, off-site removal only.

Bldg. 1733, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220698
Status: Unutilized
Comment: 9375 sq. ft., 1 story, most recent use—storehouse, needs major rehab, off-site removal only.

Bldg. 3083, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220699
Status: Unutilized
Comment: 1372 sq. ft., 1 story, most recent use—storehouse, needs major rehab, off-site removal only.

Bldg. 3856, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220703
Status: Unutilized
Comment: 4111 sq. ft., 1 story, most recent use—storehouse, needs major rehab, off-site removal only.

Bldg. 4881, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220707
Status: Unutilized
Comment: 2449 sq. ft., 1 story, most recent use—storehouse, need repairs, off-site removal only.

Bldg. 4963, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220710
Status: Unutilized
Comment: 6077 sq. ft., 1 story, most recent use—storehouse, need repairs, off-site removal only.

Bldg. 2396, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220712
Status: Unutilized
Comment: 9786 sq. ft., 1 story, most recent use—dining facility, need major rehab, off-site removal only.

Bldg. 3085, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220715
Status: Unutilized
Comment: 2253 sq. ft., 1 story, most recent use—dining facility, need major rehab, off-site removal only.

Bldg. 2537, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220726
Status: Unutilized
Comment: 820 sq. ft., 1 story, most recent use—storage, needs major rehab, off-site removal only.

Bldg. 4882, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220727
Status: Unutilized
Comment: 6077 sq. ft., 1 story, most recent use—storage, need repairs, off-site removal only.

Bldg. 4967, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220728
Status: Unutilized
Comment: 6077 sq. ft., 1 story, most recent use—storage, need repairs, off-site removal only.

Bldg. 5396, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220734
Status: Unutilized
Comment: 10944 sq. ft., 1 story, most recent use—general instruction bldg., needs major rehab, off-site removal only.

Bldg. 247, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220735
Status: Unutilized
Comment: 1144 sq. ft., 1 story, most recent use—offices, needs major rehab, off-site removal only.

Bldg. 4977, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220736
Status: Unutilized
Comment: 192 sq. ft., 1 story, most recent use—offices, need repairs, off-site removal only.

Bldg. 4978, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220737
Status: Unutilized
Comment: 192 sq. ft., 1 story, most recent use—offices, need repairs, off-site removal only.

Bldg. 4944, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220747
Status: Unutilized
Comment: 6400 sq. ft., 1 story, most recent use—vehicle maintenance shop, need repairs, off-site removal only.

Bldg. 4960, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220752
Status: Unutilized
Comment: 3335 sq. ft., 1 story, most recent use—vehicle maintenance shop, off-site removal only.

Bldg. 4969, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220753
Status: Unutilized
Comment: 8416 sq. ft., 1 story, most recent use—vehicle maintenance shop, off-site removal only.

Bldg. 1758, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220755
Status: Unutilized
Comment: 7817 sq. ft., 1 story, most recent use—warehouse, needs major rehab, off-site removal only.

Bldg. 1680, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220756
Status: Unutilized
Comment: 9243 sq. ft., 1 story, most recent use—warehouse, needs major rehab, off-site removal only.

Bldg. 3817, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220758
Status: Unutilized
Comment: 4000 sq. ft., 1 story, most recent use—warehouse, needs major rehab, off-site removal only.

Bldg. 4884, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220762
Status: Unutilized
Comment: 2000 sq. ft., 1 story, most recent use—headquarters bldg., need repairs, off-site removal only.

Bldg. 4964, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220763
Status: Unutilized
Comment: 2000 sq. ft., 1 story, most recent use—headquarters bldg., need repairs, off-site removal only.

Bldg. 4966, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220764
Status: Unutilized
Comment: 2000 sq. ft., 1 story, most recent use—headquarters bldg., need repairs, off-site removal only.

Bldg. 4679, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220767
Status: Unutilized
Comment: 8657 sq. ft., 1 story, most recent use—supply bldg., needs major rehab, off-site removal only.

Bldg. 4883, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220768
Status: Unutilized
Comment: 2600 sq. ft., 1 story, most recent use—supply bldg., needs repairs, off-site removal only.

Bldg. 4965, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220769
Status: Unutilized
Comment: 7713 sq. ft., 1 story, most recent use—supply bldg., needs repairs, off-site removal only.

Bldg. 2513, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220770
Status: Unutilized
Comment: 9483 sq. ft., 1 story, most recent use—training center, needs major rehab, off-site removal only.

Bldg. 2526, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220771
Status: Unutilized
Comment: 11855 sq. ft., 1 story, most recent use—training center, needs major rehab, off-site removal only.

Bldg. 2589, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220772
Status: Unutilized
Comment: 146 sq. ft., 1 story, most recent use—training bldg., needs major rehab, off-site removal only.

Bldg. 4976, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220778
Status: Unutilized
Comment: 192 sq. ft., 1 story, most recent use—gas station, needs repairs, off-site removal only.

Bldg. 4945, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220779
Status: Unutilized
Comment: 220 sq. ft., 1 story, most recent use—gas station, needs major rehab, off-site removal only.

Bldg. 4979, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220780
Status: Unutilized
Comment: 400 sq. ft., 1 story, most recent use—oil house, needs repairs, off-site removal only.

Bldg. 4627, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219220786
Status: Unutilized
Comment: 1676 sq. ft., 1 story, most recent use—sentry station, needs major rehab, off-site removal only.

Bldg. 4114, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310407
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4117, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310408
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4118, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310409
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4125, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310410
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4126, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310411
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4129, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310412
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4130, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310413
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4137, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310414
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barrcks, off-site use only.

Bldg. 4138, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310415
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4140, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310416
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4002, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310417
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4004, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310418
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4008, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310419
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4009, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310420
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4010, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310421
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4012, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310422
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4015, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310423
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4020, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310424
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4106, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310425
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4115, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310426
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4116, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310427
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4127, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310428
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4128, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310429
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4139, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310430
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4149, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310431
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4150, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310432
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4017, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310435
Status: Unutilized
Comment: 7700 sq. ft., 2-story, needs rehab, most recent use—barracks, off-site use only.

Bldg. 4112, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310436
Status: Unutilized
Comment: 1144 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4119, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310437
Status: Unutilized
Comment: 1144 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4124, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310438
Status: Unutilized
Comment: 1144 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4141, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310439
Status: Unutilized
Comment: 1144 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4136, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310440
Status: Unutilized
Comment: 1144 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4131, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310441
Status: Unutilized
Comment: 1144 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4108, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310442
Status: Unutilized
Comment: 1171 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 1835, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310443
Status: Unutilized
Comment: 1712 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4013, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310444
Status: Unutilized
Comment: 1884 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4007, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310445
Status: Unutilized
Comment: 1884 sq. ft., 1-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 4107, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310446
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—day room, off-site use only.

Bldg. 3072, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310447
Status: Unutilized
Comment: 479 sq. ft., 1-story, needs rehab, most recent use—hdqtrs. bldg., off-site use only.

Bldg. 4001, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310448
Status: Unutilized
Comment: 1635 sq. ft., 1-story, needs rehab, most recent use—hdqtrs bldg., off-site use only.

Bldg. 4103, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310449
Status: Unutilized
Comment: 1635 sq. ft., 1-story, needs rehab, most recent use—hdqtrs bldg., off-site use only.

Bldg. 4019, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310451
Status: Unutilized
Comment: 3270 sq. ft., 2-story, needs rehab, most recent use—hdqtrs bldg., off-site use only.

Bldg. 4018, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310452
Status: Unutilized
Comment: 3270 sq. ft., 2-story, needs rehab, most recent use—hdqtrs bldg., off-site use only.

Bldg. 4109, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310455
Status: Unutilized
Comment: 2253 sq. ft., 1-story, needs rehab, most recent use—dining facility, off-site use only.

Bldg. 4014, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310456
Status: Unutilized
Comment: 2794 sq. ft., 1-story, needs rehab, most recent use—dining facility, off-site use only.

Bldg. 4006, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310457
Status: Unutilized
Comment: 3023 sq. ft., 1-story, needs rehab, most recent use—dining facility, off-site use only.

Bldg. 4135, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310458
Status: Unutilized
Comment: 3755 sq. ft., 1-story, needs rehab, most recent use—dining facility, off-site use only.

Bldg. 4123, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310459
Status: Unutilized

Comment: 3755 sq. ft., 1-story, needs rehab, most recent use—dining facility, off-site use only.

Bldg. 4111, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310460
Status: Unutilized
Comment: 3755 sq. ft., 1-story, needs rehab, most recent use—dining facility, off-site use only.

Bldg. 4023, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310461
Status: Unutilized
Comment: 2269 sq. ft., 1-story, needs rehab, most recent use—maintenance shop, off-site use only.

Bldg. 4024, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310462
Status: Unutilized
Comment: 3281 sq. ft., 1-story, needs rehab, most recent use—maintenance shop, off-site use only.

Bldg. 4040, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310463
Status: Unutilized
Comment: 1815 sq. ft., 1-story, needs rehab, most recent use—admin. off-site use only.

Bldg. 4026, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310464
Status: Unutilized
Comment: 2330 sq. ft., 1-story, needs rehab, most recent use—admin. off-site use only.

Bldg. 4067, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310465
Status: Unutilized
Comment: 4406 sq. ft., 1-story, needs rehab, most recent use—admin. off-site use only.

Bldg. 4025, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310466
Status: Unutilized
Comment: 4720 sq. ft., 2-story, needs rehab, most recent use—admin. off-site use only.

Bldg. 4110, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310467
Status: Unutilized
Comment: 1017 sq. ft., 1-story, needs rehab, most recent use—storehouse, off-site use only.

Bldg. 4122, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310468
Status: Unutilized
Comment: 1017 sq. ft., 1-story, needs rehab, most recent use—storehouse, off-site use only.

Bldg. 4134, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310469
Status: Unutilized
Comment: 1017 sq. ft., 1-story, needs rehab, most recent use—storehouse, off-site use only.

Bldg. 4021, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310470
Status: Unutilized
Comment: 1416 sq. ft., 1-story, needs rehab, most recent use—storehouse, off-site use only.

Bldg. 4113, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310473
Status: Unutilized
Comment: 4425 sq. ft., 2-story, needs rehab, most recent use—storage, off-site use only.

Bldg. 10304, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310475
Status: Unutilized
Comment: 1040 sq. ft., 1-story, needs rehab, most recent use—scout bldg., off-site use only.

Bldg. 10847, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310476
Status: Unutilized
Comment: 1056 sq. ft., 1-story, needs rehab, most recent use—scout bldg., off-site use only.

Bldg. 10768, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310477
Status: Unutilized
Comment: 1230 sq. ft., 1-story, needs rehab, most recent use—scout bldg., off-site use only.

Bldg. 2683, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310478
Status: Unutilized
Comment: 1816 sq. ft., 1-story, needs rehab, most recent use—scout bldg., off-site use only.

Bldg. 2504, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310479
Status: Unutilized
Comment: 729 sq. ft., 1-story, needs rehab, most recent use—snack bar, off-site use only.

Bldg. 4121, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310487
Status: Unutilized
Comment: 1017 sq. ft., 1-story, needs rehab, most recent use—arms bldg., off-site use only.

Bldg. 4133, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310488
Status: Unutilized
Comment: 1017 sq. ft., 1-story, needs rehab, most recent use—arms bldg., off-site use only.

Bldg. 4143, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310489
Status: Unutilized
Comment: 1017 sq. ft., 1-story, needs rehab, most recent use—arms bldg., off-site use only.

Bldg. 4105, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310490
Status: Unutilized
Comment: 1416 sq. ft., 1-story, needs rehab, most recent use—arms bldg., off-site use only.

Bldg. 4005, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219310491
Status: Unutilized
Comment: 1416 sq. ft., 1-story, needs rehab, most recent use—arms bldg., off-site use only.

Bldg. 26306
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219320225
Status: Unutilized
Comment: 1272 sq. ft., 1 story wood frame, possible asbestos, need repairs, off-site use only, most recent use—storage.

Bldg. 33436
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219320228
Status: Unutilized
Comment: 2632 sq. ft., 1 story wood frame, presence of asbestos, need repairs, off-site use only, most recent use—offices.

Bldg. 33438
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219320229
Status: Unutilized
Comment: 2668 sq. ft., 1 story wood frame, presence of asbestos, needs rehab, off-site use only, most recent use—storage.

Bldg. 26301
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219320234
Status: Unutilized
Comment: 2788 sq. ft., 1 story wood frame, presence of asbestos, needs roof repairs, off-site use only, most recent use—storage.

Bldg. 354, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330259
Status: Unutilized
Comment: 4237 sq. ft., 1-story wood, possible termite damage, needs repair, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 355, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–

Landholding Agency: Army
Property Number: 219330260
Status: Unutilized
Comment: 4237 sq. ft., 1-story wood, needs repair, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 356, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330261
Status: Unutilized
Comment: 4237 sq. ft., 1-story wood, possible termite damage, needs repair, most recent use—offices, off-site use only.

Bldg. 376, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330262
Status: Unutilized
Comment: 4237 sq. ft., 1-story wood, possible termite damage, needs repair, most recent use—offices, off-site use only.

Bldg. 377, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330263
Status: Unutilized
Comment: 4768 sq. ft., 1-story wood, needs repair, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 18704, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330265
Status: Unutilized
Comment: 4524 sq. ft., 2-story wood, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 19601, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330268
Status: Unutilized
Comment: 2132 sq. ft., 1-story wood, possible termite damage, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 19602, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330269
Status: Unutilized
Comment: 1555 sq. ft., 1-story wood, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 25103, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330271
Status: Unutilized
Comment: 2100 sq. ft., 1-story wood, needs rehab, most recent use—offices, off-site use only.

Bldg. 25105, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330272
Status: Unutilized
Comment: 1025 sq. ft., 1-story wood, needs rehab, most recent use—offices, off-site use only.

Bldg. 25503, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330273
Status: Unutilized
Comment: 6816 sq. ft., 1-story wood, presence of asbestos, most recent use—offices, off-site use only.

Bldg. 34502, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330276
Status: Unutilized
Comment: 7036 sq. ft., 2-story wood, needs rehab, most recent use—offices, off-site use only.

Bldg. 35503, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330277
Status: Unutilized
Comment: 2500 sq. ft., 1-story wood, needs rehab, most recent use—offices, off-site use only.

Bldg. 37505, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330278
Status: Unutilized
Comment: 17370 sq. ft., 2-story wood, needs rehab, possible asbestos, most recent use—offices, off-site use only.

Bldg. 18718, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330282
Status: Unutilized
Comment: 2468 sq. ft., 1-story wood, presence of asbestos, most recent use—classrooms, off-site use only.

Bldg. 18720, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330283
Status: Unutilized
Comment: 2632 sq. ft., 1-story wood, presence of asbestos, most recent use—classrooms, off-site use only.

Bldg. 332, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330289
Status: Unutilized
Comment: 5340 sq. ft., 1-story wood, needs repair, presence of asbestos, most recent use—laboratory, off-site use only.

Bldg. 333, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330290
Status: Unutilized
Comment: 5340 sq. ft., 1-story wood, possible termite damage, needs repair, presence of asbestos, most recent use—laboratory, off-site use only.

Bldg. 334, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330291
Status: Unutilized
Comment: 4279 sq. ft., 1-story wood, possible termite damage, presence of asbestos, most recent use—medical admin., off-site use only.

Bldg. 335, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330292
Status: Unutilized
Comment: 4300 sq. ft., 1-story wood, possible termite damage, needs repair, presence of asbestos, most recent use—laboratory, off-site use only.

Bldg. 353, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330293
Status: Unutilized
Comment: 5157 sq. ft., 1-story wood, presence of asbestos, most recent use—laboratory, off-site use only.

Bldg. 352, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219330294
Status: Unutilized
Comment: 560 sq. ft., 1-story metal, presence of asbestos, most recent use—equip. storage, off-site use only.

Bldg. 10501
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410264
Status: Unutilized
Comment: 2516 sq. ft., 1-story wood; needs rehab.; most recent use—office; off-site use only.

Bldg. 10601
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410265
Status: Unutilized
Comment: 1334 sq. ft.; 1-story; wood; most recent use—office; off-site use only.

Bldg. 20303
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410266
Status: Unutilized
Comment: 2376 sq. ft.; 1-story; wood; needs rehab.; most recent use—office; off-site use only.

Bldg. 41504
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410267
Status: Unutilized
Comment: 2516 sq. ft.; 1-story; wood; needs rehab.; most recent use—store; off-site use only.

Bldg. 11813
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410269
Status: Unutilized
Comment: 70 sq. ft.; 1-story; metal; needs rehab.; most recent use—storage; off-site use only.

Bldg. 21314
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410270
Status: Unutilized
Comment: 85 sq. ft.; 1-story; needs rehab.; most recent use—storage; off-site use only.

Bldg. 951

Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410271
Status: Unutilized
Comment: 17,825 sq. ft.; 1-story; wood; needs rehab.; most recent use—workshop; off-site use only.

Bldg. 12809
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410272
Status: Unutilized
Comment: 2788 sq. ft.; 1-story; wood; needs rehab.; most recent use—maintenance shop; off-site use only.

Bldg. 10306
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219410273
Status: Unutilized
Comment: 195 sq. ft.; 1-story; wood; most recent use—oil storage shed; off-site use only.

Bldg. P–8582
Hunter Army Airfield
Savannah Co: Chatham GA 31409–
Landholding Agency: Army
Property Number: 219420355
Status: Unutilized
Comment: 5892 sq. ft., 2-story, steel, needs major repairs, most recent use—radar tower, off-site use only.

Bldg. T–305, Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219510103
Status: Excess
Comment: 2340 sq. ft., 1-story, most recent use—hosp. clinic, needs rehab, off-site use only.

Bldg. T–1414
Hunter Army Airfield
Savannah Co: Chatham GA 31409–
Landholding Agency: Army
Property Number: 219510106
Status: Excess
Comment: 2000 sq. ft., 1-story, most recent use—office, needs rehab, off-site use only.

Bldg. 2813, Ft. Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520074
Status: Unutilized
Comment: 40536 sq. ft., 4-story, most recent use—admin., needs major repair, off-site use only.

Bldg. 5982, Ft. Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520075
Status: Unutilized
Comment: 535 sq. ft., 1-story, most recent use—admin., needs major repair, off-site use only.

Bldg. 401
Hunter Army Airfield
Savannah Co: Chatham GA 31409–
Landholding Agency: Army
Property Number: 219520076
Status: Unutilized
Comment: 5167 sq. ft., 1-story, needs major repair, most recent use—office, off-site use only.

Bldg. T–901
Hunter Army Airfield
Savannah Co: Chatham GA 31409–
Landholding Agency: Army
Property Number: 219520077
Status: Unutilized
Comment: 1828 sq. ft., 1-story, needs major repair, most recent use—admin., off-site use only.

Bldg. T–902
Hunter Army Airfield
Savannah Co: Chatham GA 31409–
Landholding Agency: Army
Property Number: 219520078
Status: Unutilized
Comment: 1828 sq. ft., 1-story, needs major repair, most recent use—admin., off-site use only.

Bldg. 33605, Fort Gordon
Fort Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520079
Status: Unutilized
Comment: 10864 sq. ft., 2-story, needs repair, presence of asbestos & lead paint, most recent use—office, off-site use only.

Bldg. 51202, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520080
Status: Unutilized
Comment: 1555 sq. ft., 1-story, needs repair, presence of lead paint, most recent use—office, off-site use only.

Bldg. 91401, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520081
Status: Unutilized
Comment: 2132 sq. ft., 1-story, needs repair, presence of asbestos & lead paint, most recent use—office, off-site use only.

Bldgs. 61401 and 91501
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520132
Status: Unutilized
Comment: 7036 sq. ft. each, 2-story, needs rehab, presence of asbestos & lead base paint, most recent use—barracks, off-site use only.

Bldg. 2814, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520133
Status: Unutilized
Comment: 40536 sq. ft., 4-story, most recent use—barracks w/dining, needs major repair, off-site use only.

Bldg. 5002, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520134
Status: Unutilized
Comment: 5310 sq. ft., 2-story, most recent use—barracks, needs major repair, off-site use only.

Bldg. 5007, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520135
Status: Unutilized
Comment: 5310 sq. ft., 2-story, most recent use—barracks, needs major repair, off-site use only.

Bldg. 90, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520165
Status: Unutilized
Comment: 25065 sq. ft., 1-story, needs rehab, most recent use—theater, off-site use only.

Bldg. 227, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520166
Status: Unutilized
Comment: 14019 sq. ft., 2-story, needs rehab, most recent use—NCO club, off-site use only.

Bldg. 1690, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520167
Status: Unutilized
Comment: 13601 sq. ft., 1-story, needs rehab, most recent use—warehouse, off-site use only.

Bldg. 1692, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520168
Status: Unutilized
Comment: 13601 sq. ft., 1-story, needs rehab, most recent use—warehouse, off-site use only.

Bldg. 1693, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520169
Status: Unutilized
Comment: 13195 sq. ft., 1-story, needs rehab, most recent use—warehouse, off-site use only.

Bldg. 1755, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520170
Status: Unutilized
Comment: 3142 sq. ft., needs rehab, most recent use—maint. shop, off-site use only.

Bldg. 2398, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520171
Status: Unutilized
Comment: 6077 sq. ft., needs rehab, most recent use—maint. shop, off-site use only.

Bldg. 2399, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520172
Status: Unutilized
Comment: 3936 sq. ft., needs rehab, most recent use—maint. shop, off-site use only.

Bldg. 3802, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520173
Status: Unutilized
Comment: 3362 sq. ft., 1-story, needs rehab, most recent use—chapel, off-site use only.

Bldg. 4011, Fort Benning
Ft. Benning Co: Muscogee GA 31905–

Landholding Agency: Army
Property Number: 219520174
Status: Unutilized
Comment: 1030 sq. ft., 1-story, needs rehab, most recent use—warehouse, off-site use only.

Bldg. 4051, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520175
Status: Unutilized
Comment: 967 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only.

Bldg. 4495, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520176
Status: Unutilized
Comment: 4367 sq. ft., 1-story, needs rehab, most recent use—training, off-site use only.

Bldg. 4496, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520177
Status: Unutilized
Comment: 4367 sq. ft., 1-story, needs rehab, most recent use—training, off-site use only.

Bldg. 4635, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520178
Status: Unutilized
Comment: 2284 sq. ft., 1-story, needs rehab, off-site use only.

Bldg. 4762, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520179
Status: Unutilized
Comment: 3148 sq. ft., needs rehab, most recent use—maint. shop, off-site use only.

Bldg. 5075, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520180
Status: Unutilized
Comment: 3148 sq. ft., needs rehab, most recent use—maint. shop, off-site use only.

Bldg. 5076, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520181
Status: Unutilized
Comment: 3148 sq. ft., needs rehab, most recent use—maint. shop, off-site use only.

Bldg. 11301, Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219520182
Status: Unutilized
Comment: 1068 sq. ft., 1-story, needs rehab, most recent use—scout bldg., off-site use only.

Bldg. A1401, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520183
Status: Unutilized
Comment: 3428 sq. ft., 1-story, needs rehab, presence of asbestos & lead base paint, off-site use only.

Bldg. A1618, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520184
Status: Unutilized
Comment: 2800 sq. ft., 1-story, needs rehab, most recent use—storage, presence of asbestos & lead base paint, off-site use only.

Bldg. 61404, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520185
Status: Unutilized
Comment: 3428 sq. ft., 1-story, most recent use—maint. shop, needs rehab, presence of asbestos & lead base paint, off-site use only.

Bldg. 91704, Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219520186
Status: Unutilized
Comment: 2788 sq. ft., 1-story, most recent use—vehicle maint., needs rehab, presence of asbestos & lead base paint, off-site use only.

Hawaii

P–88
Aliamanu Military Reservation
Honolulu Co: Honolulu HI 96818–
Location: Approximately 600 feet from Main Gate on Aliamanu Drive
Landholding Agency: Army
Property Number: 219030324
Status: Unutilized
Comment: 45,216 sq. ft. underground tunnel complex, pres. of asbestos clean-up required of contamination, use of respirator required by those entering property, use limitations.

Bldg. 302
Fort Shafter
Honolulu Co: Honolulu HI 96818–
Landholding Agency: Army
Property Number: 219320236
Status: Unutilized
Comment: 39 sq. ft., most recent use—sentry station, off-site use only.

Bldg. T–119
Fort Shafter
Honolulu HI 96819–
Landholding Agency: Army
Property Number: 219430252
Status: Unutilized
Comment: 10205 sq. ft., wood structure, some termite damage, most recent use—above ground swimming pool, off-site use only.

Bldg. S–108
Helemano Military Reservation
Wahiawa HI 96786–
Landholding Agency: Army
Property Number: 219510101
Status: Excess
Comment: 2400 sq. ft., 1-story, needs rehab, most recent use—fire station, off-site use only.

Bldg. S–107
Helemano Military Reservation
Wahiawa HI 96786–
Landholding Agency: Army
Property Number: 219510102
Status: Excess
Comment: 2000 sq. ft., 1-story, most recent use—office, off-site use only.

Bldg. S–823
Wheeler Army Airfield
Wahiawa HI 96786–
Landholding Agency: Army
Property Number: 219520082
Status: Unutilized
Comment: 3150 sq. ft., 2-story wood frame, most recent use—office, off-site use only.

Bldg. 198, Fort DeRussy
Honolulu HI 96815–
Landholding Agency: Army
Property Number: 219520083
Status: Unutilized
Comment: 19087 sq. ft., 1-story concrete, most recent use—office, off-site use only.

Bldg. 199, Fort DeRussy
Honolulu HI 96815–
Landholding Agency: Army
Property Number: 219520187
Status: Unutilized
Comment: 2400 sq. ft., 1-story, most recent use—training, off-site use only.

Bldg. P–125
Tripler Army Medical Center
Honolulu Co: Honolulu HI 96859–5000
Landholding Agency: Army
Property Number: 219540013
Status: Excess
Comment: 7987 sq. ft., need major repairs, most recent use—boiler plant, off-site use only.

Illinois

WARD Army Reserve Center
1429 Northmoor Road
Peoria Co: Peoria IL 61614–3498
Landholding Agency: Army
Property Number: 219430254
Status: Unutilized
Comment: 2 bldgs. on 3.15 acres, 36451 sq. ft., reserve center & warehouse, presence of asbestos, most recent use—office/storage/training.

Stenafich Army Reserve Center
1600 E. Willow Road
Kankakee Co: Kankakee IL 60901–2631
Landholding Agency: Army
Property Number: 219430255
Status: Unutilized
Comment: 2 bldgs.—reserve center & vehicle maint. shop on 3.68 acres, 5641 sq. ft., most recent use—office/storage/training, presence of asbestos.

Indiana

Bldg. 703–1C
Indiana Army Ammunition Plant
Charlestown Co: Clark IN
Location: Gate 22 off Highway 22
Landholding Agency: Army
Property Number: 219013761
Status: Underutilized
Comment: 4000 sq. ft.; 2 story brick frame; possible asbestos; most recent use—exercise area.

Bldg. 1011 (Portion of)
Indiana Army Ammunition Plant
End of 3rd Street
Charlestown Co: Clark IN
Location: East of State Highway 62 at Gate 3
Landholding Agency: Army
Property Number: 219013762
Status: Underutilized
Comment: 4040 sq. ft.; 1 story concrete block frame; possible asbestos; secured area with alternate access; most recent use—office.

Bldg. 1001 (Portion of)
Indiana Army Ammunition Plant

Charlestown Co: Clark IN
Location: South end of 3rd Streeet, East of Highway 62 at entrance gate.
Landholding Agency: Army
Property Number: 219013763
Status: Underutilized
Comment: 55630 sq. ft.; 1 story concrete block; possible asbestos; secured area with alternate access; most recent use—cloth bag manufacturing.

Bldg. 2542
Indiana Army Ammunition Plant
Charlestown Co: Clark IN 47111–
Landholding Agency: Army
Property Number: 219240717
Status: Unutilized
Comment: 1954 sq. ft., 1 story concrete block, secured area w/alternate access, asbestos, most recent use—heating facility.

Bldg. 2531
Indiana Army Ammunition Plant
Charlestown Co: Clark IN 47111–
Landholding Agency: Army
Property Number: 219240718
Status: Unutilized
Comment: 119746 sq. ft., 1 story concrete block, secured area w/alternate access, asbestos, most recent use—storage.

Bldgs. 7215, 7216
Indiana Army Ammunition Plant
Charlestown Co: Clark IN 47111–
Landholding Agency: Army
Property Number: 219330297
Status: Unutilized
Comment: roadside shelters, no utilities, located on Indiana State Highway Right of Way.

Iowa

U.S. Army Reserve Center
705 E. Taylor Street
Creston Co: Adams IA 50801–4040
Landholding Agency: Army
Property Number: 219430253
Status: Unutilized
Comment: 6500 sq. ft., 1-story structure on 2 acres, most recent use—office/storage/training.

Kansas

Bldg. T–2549, Fort Riley
Ft. Riley Co: Geary KS 66442–
Landholding Agency: Army
Property Number: 219310252
Status: Unutilized
Comment: 3082 sq. ft., 1-story wood frame, needs rehab, presence of asbestos, most recent use—storage.

Bldg. 166, Fort Riley
Ft. Riley Co: Geary KS 66442–
Landholding Agency: Army
Property Number: 219410325
Status: Underutilized
Comment: 3803 sq. ft., 3-story brick residence, needs rehab, presence of asbestos, located within National Registered Historic District.

Bldg. 184, Fort Riley
Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219430146
Status: Unutilized
Comment: 1959 sq. ft., 1-story, needs rehab, presence of asbestos, most recent use—boiler plant, historic district.

Bldg. 1362
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440415
Status: Unutilized
Comment: 863 sq. ft., wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1457
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440416
Status: Unutilized
Comment: 863 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1458
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440417
Status: Unutilized
Comment: 863 sq. ft., wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1462
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440418
Status: Unutilized
Comment: 863 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1464
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440419
Status: Unutilized
Comment: 863 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1358
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440420
Status: Unutilized
Comment: 1075 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1359
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440421
Status: Unutilized
Comment: 1075 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1454
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440422
Status: Unutilized
Comment: 1075 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1455
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440423
Status: Unutilized
Comment: 1075 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. 1461
Fort Leavenworth
Ft. Leavenworth Co: Leavenworth KS 66027–
Landholding Agency: Army
Property Number: 219440424
Status: Unutilized
Comment: 1075 sq. ft., 1-story wood frame, asbestos cement shingles, most recent use—office, off-site use only.

Bldg. T–2038, Fort Riley
Ft. Riley Co: Geary KS 66442–
Landholding Agency: Army
Property Number: 219440443
Status: Unutilized
Comment: 1324 sq. ft., 1 story wood frame, needs rehab, presence of asbestos, most recent use—storage.

Bldg. T–2049, Fort Riley
Ft. Riley Co: Geary KS 66442–
Landholding Agency: Army
Property Number: 219440444
Status: Unutilized
Comment: 3255 sq. ft., 1 story wood frame, needs rehab, presence of asbestos, most recent use—storage.

Bldg. T–2449, Fort Riley
Ft. Riley Co: Geary KS 66442–
Landholding Agency: Army
Property Number: 219440445
Status: Unutilized
Comment: 3057 sq. ft., 1 story wood frame, needs rehab, presence of asbestos, most recent use—storage.

Bldgs. T–2018, T–2120, T–2338
Fort Riley
Ft. Riley, KS 66442–
Landholding Agency: Army
Property Number: 219510099
Status: Unutilized
Comment: 3059–3278 sq. ft., 1–2 story, needs rehab, presence of asbestos, most recent use—office/storage.

Bldgs. S–403, S–401
Fort Leavenworth
Leavenworth, KS 66027–
Landholding Agency: Army
Property Number: 219510100
Status: Excess
Comment: 2978 sq. ft., 1-story, presence of asbestos, most recent use—hosp. clinic, off-site use only.

Kentucky

Bldg. 7162
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410301
Status: Unutilized
Comment: 1256 sq. ft.; most recent use—storage; off-site use only.

Bldg. 234
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430152
Status: Unutilized
Comment: 8042 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 236
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430153
Status: Unutilized
Comment: 7020 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 238
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430154
Status: Unutilized
Comment: 7020 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—Educ. center, off-site use only.

Bldg. 240
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430155
Status: Unutilized
Comment: 7020 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—educ. center, off-site use only.

Bldgs. 242, 244
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430156
Status: Unutilized
Comment: 7020 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—educ. center, off-site use only.

Bldg. 2104
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430158
Status: Unutilized
Comment: 2000 sq. ft., 1-story, needs repair, presence of asbestos, most recent use—classroom, off-site only.

Bldg. 2108
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430161
Status: Unutilized
Comment: 3823 sq. ft., 1-story, needs repair, presence of asbestos, most recent use—classroom, off-site use only.

Bldg. 2788
Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430167
Status: Unutilized
Comment: 1813 sq. ft., 1-story, needs repair, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 3170
Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430172
Status: Unutilized
Comment: 2750 sq. ft., 1-story needs repair, presence of asbestos, most recent use—maint. shop, off-site use only.

Maryland

Bldg. E5878
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford MD 21010–5425
Landholding Agency: Army
Property Number: 219012652
Status: Unutilized
Comment: 213 sq. ft.; structural deficiencies; possible asbestos; and contamination.

Bldg. E5879
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford MD 21010–55425
Landholding Agency: Army
Property Number: 219012653
Status: Unutilized
Comment: 213 sq. ft.; possible asbestos and contamination; no utilities; most recent use—igloo storage.

Bldg. 10302
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford MD 21010–5425
Landholding Agency: Army
Property Number: 219012666
Status: Unutilized
Comment: 42 sq. ft., possible asbestos; most recent use—pumping station only.

Bldg. E5975
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford Md 21010–5425
Landholding Agency: Army
Property Number: 219012677
Status: Unutilized
Comment: 650 sq. ft.; possible contamination; structural deficiencies most recent use—training exercises/chemicals and explosives; potential use—storage.

Bldg. 6687
Fort George G. Meade
Mapes and Zimbroski Roads
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219220446
Status: Unutilized
Comment: 1150 sq. ft., presence of asbestos, wood frame, most recent use—veterinarian clinic, off-site removal only, sched. to be vacated 10/1/92.

Bldgs. 303–308, 323–328, 333–337
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219320293
Status: Unutilized
Comment: 4720 sq. ft. each, 2-story wood frame, possible asbestos, most recent use—barracks/classrooms, fair to good condition off-site use only.

Bldg. 309
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219320294
Status: Unutilized
Comment: 2324 sq. ft., 1-story wood frame, possible asbestos, fair to good condition, off-site use only.

Bldgs. 312, 319
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219320295
Status: Unutilized
Comment: 2594 sq. ft., 1-story wood frame, possible asbestos, most recent use—storage, fair condition, off-site use only.

Bldgs. 313–314, 317–318
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219320296
Status: Unutilized
Comment: 1144 sq. ft., 1-story wood frame, possible asbestos, most recent use—storage, fair to good condition, off-site use only.

Bldgs. 302, 329, 332, 339
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219320297
Status: Unutilized
Comment: 2208 sq. ft., 1-story wood frame, possible asbestos, most recent use—storage, fair condition, off-site use only.

Bldg. E4890
Aberdeen Proving Ground Co: Harford MD 21005–5001
Landholding Agency: Army
Property Number: 219330434
Status: Unutilized
Comment: 6250 sq. ft., 1-story, needs rehab, presence of asbestos.

Bldgs. 2251, 2252
Fort Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219430180
Status: Unutilized
Comment: 648 & 3594 sq. ft., 1-story concrete/metal structure, needs rehab, presence of asbestos, most recent use—heating plant & admin.

Bldg. E4144
Aberdeen Proving Ground
Aberdeen Co: Harford MD 21005–5001
Landholding Agency: Army
Property Number: 219540001
Status: Unutilized
Comment: 1632 sq. ft., concrete frame bath house, 1 story, presence of asbestos and lead paint.

Michigan

Bldg. 300, Arsenal Acres
24140 Mound Road
Warren MI 48091–
Landholding Agency: Army
Property Number: 219220448
Status: Unutilized
Comment: 52 sq.. ft. sentry station, secured area with alternate access.

Bldg. 301, Arsenal Acres
24140 Mound Road
Warren MI 48091–
Landholding Agency: Army
Property Number: 219220449
Status: Unutilized
Comment: 3125 sq. ft., 2-story colonial style home, secured area with alternate access.

Bldg. 302, Arsenal Acres
24140 Mound Road
Warren MI 48091–
Landholding Agency: Army
Property Number: 219220450
Status: Unutilized
Comment: 2619 sq. ft., 2-story colonial style home, secured area with alternate access.

Bldg. 303, Arsenal Acres
24140 Mound Road
Warren MI 48091–
Landholding Agency: Army
Property Number: 219220451
Status: Unutilized
Comment: 2619 sq. ft., 2-story colonial style home, secured area with alternate access.

Bldg. 304, Arsenal Acres
24140 Mound Road
Warren MI 48091–
Landholding Agency: Army
Property Number: 219220452
Status: Unutilized
Comment: 2443 sq. ft., 2-story colonial style home, secured area with alternate access.

Bldg. 305, Arsenal Acres
24140 Mound Road
Warren MI 48091–
Landholding Agency: Army
Property Number: 219220787
Status: Unutilized
Comment: 2443 sq. ft., 2-story Colonial style home, secured area with alternate access.

Bldg. 306
Arsenal Acres
24140 Mound Rd.
Warren MI 48091–
Landholding Agency: Army
Property Number: 219410326
Status: Unutilized
Comment: 2443 sq. ft., 2-story colonial style home, secured area w/alternate access.

Bldg. 307
Arsenal Acres
24140 Mound Rd.
Warren MI 48091–
Landholding Agency: Army
Property Number: 219410327
Status: Unutilized
Comment: 2443 sq. ft., 2-story colonial style home, secured area w/alternate access.

Bldg. 308
Arsenal Acres
24140 Mound Rd.
Warren MI 48091–
Landholding Agency: Army
Property Number: 219410328
Status: Unutilized
Comment: 205 sq. ft., 1-story brick, secured area w/alternate access.

Missouri

Bldg. T2383
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219230228
Status: Underutilized
Comment: 9267 sq. ft., 1-story, presence of asbestos, most recent use—general purpose facility, off-site use only.

Bldg. T599
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 2192330260
Status: Underutilized
Comment: 18270 sq. ft., 1-story, presence of asbestos, most recent use—storehouse, off-site use only.

Bldg. T1311
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219230261
Status: Underutilized
Comment: 2740 sq. ft., 1-story, presence of asbestos, most recent use—storehouse, off-site use only.

Bldg. T427
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219330299
Status: Underutilized
Comment: 10245 sq. ft., 1-story, presence of asbestos, most recent use—post office, off-site use only.

Bldg. T2368
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219330306
Status: Underutilized
Comment: 3663 sq. ft., 1-story, presence of asbestos, off-site use only.

Bldg. T3005
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219330307
Status: Underutilized
Comment: 2220 sq. ft., 1-story, presence of asbestos, most recent use—motor repair shop, off-site use only.

Bldg. T2171
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219340212
Status: Unutilized
Comment: 1296 sq. ft., 1-story wood frame, most recent use—administrative, no handicap fixtures, lead base paint, off-site use only.

Bldg. T1258
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219340213
Status: Underutilized
Comment: 2360 sq. ft., 1-story wood frame, most recent use—warehouse, no handicap fixtures, possible asbestos, lead base paint, off-site use only.

Bldg. T2312
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219340217
Status: Underutilized
Comment: 1403 sq. ft., 1-story wood frame, most recent use—paint shop, no handicap fixtures, lead base paint, off-site use only.

Bldg. T6822
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219340219
Status: Underutilized
Comment: 4000 sq. ft., 1-story wood frame, most recent use—storage, no handicap fixtures, off-site use only.

Bldg. T1363
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420392
Status: Underutilized
Comment: 1296 sq. ft., 1-story, presence of lead base paint, most recent use—storage, off-site use only.

Bldg. T1364
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420393
Status: Underutilized
Comment: 1144 sq. ft., 1-story, presence of lead base paint, most recent use—storage, off-site use only.

Bldg. T281
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420397
Status: Underutilized
Comment: 4230 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen.purpose, off-site use only.

Bldg. T282
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420398
Status: Underutilized
Comment: 15923 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T283
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420431
Status: Underutilized
Comment: 6163 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T407
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420432
Status: Underutilized
Comment: 2265 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T408
Fort Leonard Wood
Ft. leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420433
Status: Underutilized
Comment: 10296 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T409

Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420434
Status: Underutilized
Comment: 2450 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T410
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420435
Status: Underutilized
Comment: 2664 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T411
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420436
Status: Underutilized
Comment: 4720 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T412
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420437
Status: Underutilized
Comment: 1296 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T415
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420438
Status: Underutilized
Comment: 1144 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T429
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420439
Status: Underutilized
Comment: 2475 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T1100
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420440
Status: Underutilized
Comment: 3236 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T1497
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420441
Status: Underutilized
Comment: 4720 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T2138
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420445
Status: Underutilized
Comment: 1676 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T2139
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219420446
Status: Underutilized
Comment: 3663 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only.

Bldg. T–2143
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440324
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T–2144
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440325
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T–2158
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440326
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T–2173
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440330
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T–2189
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440332
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T–2191
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440334
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T–2197
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219440335
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks.

Bldg. T403
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510107
Status: Excess
Comment: 5818 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T460
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510108
Status: Excess
Comment: 5428 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T464
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510109
Status: Excess
Comment: 5310 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T590
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510110
Status: Excess
Comment: 3263 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T1246
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510111
Status: Excess
Comment: 1144 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T1362
Fort Leonard Wood

Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510112
Status: Excess
Comment: 2360 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T1907
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510113
Status: Excess
Comment: 7670 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T1908
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510114
Status: Excess
Comment: 2284 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T2385
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510115
Status: Excess
Comment: 3158 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T3007
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510116
Status: Excess
Comment: 4687 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T3008
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510117
Status: Excess
Comment: 4687 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T3010
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510118
Status: Excess
Comment: 4687 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Bldg. T3011
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Landholding Agency: Army
Property Number: 219510119
Status: Excess
Comment: 4687 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only.

Montana

USARC Bozeman Reserve Center
Bozeman Co: Gallatin MT
Landholding Agency: Army
Property Number: 219420391
Status: Unutilized
Comment: 15236 sq. ft., 3-story reserve center on .54 acres, bldg. on National Register of Historic Places, secured with alternate access.

Nevada

Bldgs. 00425–00449
Hawthorne Army Ammunition Plant
Schweer Drive Housing Area
Hawthorne Co: Mineral NV 89415–
Landholding Agency: Army
Property Number: 219011946
Status: Unutilized
Comment: 1310–1640 sq. ft., one floor residential, semi/wood construction, good condition.

New Jersey

Bldg. 421, Fort Monmouth
Ft. Monmouth Co: Monmouth NJ 07703–
Landholding Agency: Army
Property Number: 219330435
Status: Unutilized
Comment: 4720 sq. ft., 2-story, most recent use—office.

Bldg. 2529, Fort Monmouth
Charles Wood Area
Ft. Monmouth Co: Monmouth NJ 07703–
Landholding Agency: Army
Property Number: 219330436
Status: Unutilized
Comment: 4413 sq. ft., 2-story, needs rehab, most recent use—admin.

Bldg. 197
Fort Monmouth
Fort Monmouth Co: Monmouth NJ 07703–
Landholding Agency: Army
Property Number: 219440442
Status: Unutilized
Comment: 1240 sq. ft., 1 story, most recent use—motor repair shop.

New Mexico

Bldg. 108
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330327
Status: Unutilized
Comment: 3561 sq. ft., 2-story, presence of asbestos, most recent use—admin., off-site use only

Bldg. 109
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330328
Status: Unutilized
Comment: 3561 sq. ft., 2-story, presence of asbestos, most recent use—admin., off-site use only

Bldg. 117
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330329
Status: Unutilized
Comment: 1688 sq. ft., 1-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 118
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330330
Status: Unutilized
Comment: 3561 sq. ft., 2-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 119
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330331
Status: Unutilized
Comment: 3561 sq. ft., 2-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 148
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330332
Status: Unutilized
Comment: 3570 sq. ft., 2-story, needs rehab, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 149
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330333
Status: Unutilized
Comment: 3570 sq. ft., 2-story, needs rehab, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 150
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330334
Status: Unutilized
Comment: 3750 sq. ft., 2-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 357
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330335
Status: Unutilized
Comment: 3600 sq. ft., 2-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 1758
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330336
Status: Unutilized
Comment: 1620 sq. ft., 1-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 1768
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330337
Status: Unutilized
Comment: 15,333 sq. ft., 1-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 28281
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330338
Status: Unutilized

Comment: 1856 sq. ft., 1-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 28282
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330339
Status: Unutilized
Comment: 1850 sq. ft., 3-story, needs rehab, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 32980
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330340
Status: Unutilized
Comment: 451 sq. ft., 1-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 34252
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330341
Status: Unutilized
Comment: 720 sq. ft., 1-story, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 418
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330342
Status: Unutilized
Comment: 3690 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 420
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330343
Status: Unutilized
Comment: 2407 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 890
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330344
Status: Unutilized
Comment: 9011 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 1348
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330345
Status: Unutilized
Comment: 720 sq. ft., 1-story, needs rehab, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 1738
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330346
Status: Unutilized
Comment: 1500 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 1765
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330347
Status: Unutilized
Comment: 600 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 21542
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330348
Status: Unutilized
Comment: 945 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 22118
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330349
Status: Unutilized
Comment: 1341 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 22253
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330350
Status: Unutilized
Comment: 216 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 28267
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330351
Status: Unutilized
Comment: 617 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 29195
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330352
Status: Unutilized
Comment: 56 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 34219
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330353
Status: Unutilized
Comment: 720 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 34221
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330354
Status: Unutilized
Comment: 720 sq. ft., 1-story, presence of asbestos, most recent use—storage, off-site use only.

Bldg. 145
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330355
Status: Unutilized
Comment: 2954 sq. ft., 1-story, presence of asbestos, most recent use—chapel, off-site use only.

Bldg. 1754
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330356
Status: Unutilized
Comment: 6974 sq. ft., 1-story, presence of asbestos, most recent use—maintenance shop, off-site use only.

Bldg. 19242
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330357
Status: Unutilized
Comment: 450 sq. ft., 1-story, presence of asbestos, most recent use—maintenance shop, off-site use only.

Bldg. 34227
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330358
Status: Unutilized
Comment: 675 sq. ft., 1-story, presence of asbestos, most recent use—maintenance shop, off-site use only.

Bldg. 34244
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330359
Status: Unutilized
Comment: 720 sq. ft., 1-story, presence of asbestos, most recent use—maintenance shop, off-site use only.

Bldg. 21105
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330360
Status: Unutilized
Comment: 239 sq. ft., 1-story, presence of asbestos, most recent use—veterinarian facility, off-site use only.

Bldg. 21106
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330361
Status: Unutilized
Comment: 405 sq. ft., 1-story, presence of asbestos, most recent use—veterinarian facility, off-site use only.

Bldg. 21310
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330362
Status: Unutilized
Comment: 1006 sq. ft., 1-story, presence of asbestos, most recent use—transmitter bldg., off-site use only.

Bldg. 29890
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army

Property Number: 219330363
Status: Unutilized
Comment: 450 sq. ft., 1-story, presence of asbestos, most recent use—frequency monitoring station, off-site use only.

Bldg. 1868
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330364
Status: Unutilized
Comment: 41 sq. ft., 1-story, presence of asbestos, most recent use—scale house, off-site use only.

Bldg. 528
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330365
Status: Unutilized
Comment: 225 sq. ft., 1-story, presence of asbestos, most recent use—decontamination shelter, off-site use only.

Bldg. 1834
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330366
Status: Unutilized
Comment: 150 sq. ft., 1-story, presence of asbestos, most recent use—animal kennel, off-site use only.

Bldg. 1300
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330367
Status: Unutilized
Comment: 1500 sq. ft., 1-story, presence of asbestos, most recent use—indoor small arms range, off-site use only.

Bldg. 23100
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330368
Status: Unutilized
Comment: 40 sq. ft., 1-story, presence of asbestos, most recent use—sentry station, off-site use only.

Bldg. 29196
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330369
Status: Unutilized
Comment: 38 sq. ft., 1-story, presence of asbestos, most recent use—power plant bldg., off-site use only.

Bldg. 30774
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330370
Status: Unutilized
Comment: 176 sq. ft., 1-story, presence of asbestos, off-site use only.

Bldg. 33136
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Landholding Agency: Army
Property Number: 219330371
Status: Unutilized
Comment: 18 sq. ft., off-site use only.

New York

Bldg. 323
Fort Totten
Story Avenue
Bayside Co: Queens NY 11359–
Landholding Agency: Army
Property Number: 219012567
Status: Underutilized
Comment: 30000 sq. ft., 3 floors, most recent use—barracks & mess facility, needs major rehab.

Bldg. 304
Fort Totten
Shore Road
Bayside Co: Queens NY 11359–
Landholding Agency: Army
Property Number: 219012570
Status: Underutilized
Comment: 9610 sq. ft., 3 floors, most recent use—hospital, needs major rehab/utilities disconnected.

Bldg. 211
Fort Totten
211 Totten Avenue
Bayside Co: Queens NY 11359–
Landholding Agency: Army
Property Number: 219012573
Status: Underutilized
Comment: 6329 sq. ft., 3 floors, most recent use—family housing, needs major rehab, utilities disconnected.

Bldg. 332
Fort Totten
Theater Road
Bayside Co: Queens NY 11359–
Landholding Agency: Army
Property Number: 219012578
Status: Underutilized
Comment: 6288 sq. ft., 1 floor, most recent use—theater w/stage, needs major rehab, utilities disconnected.

Bldg. 322
Fort Totten
322 Story Avenue
Bayside Co: Queens NY 11359–
Landholding Agency: Army
Property Number: 219012583
Status: Underutilized
Comment: 30000 sq. ft., 3 floors, most recent use—barracks, mess & administration, utilities disconnected, needs rehab.

Bldg. 326
Fort Totten
326 Pratt Avenue
Bayside Co: Queens NY 11359–
Landholding Agency: Army
Property Number: 219012586
Status: Underutilized
Comment: 6000 sq. ft., 2 floors, most recent use—storage, offices & residential, utilities disconnected/needs rehab.

Bldg. 100, Fort Hamilton
Bellmore Co: Nassau NY 11710–
Landholding Agency: Army
Property Number: 219340254
Status: Unutilized
Comment: 155 sq. ft., 1-story, most recent use—storage.

Bldg. 200, Fort Hamilton
Bellmore Co: Nassau NY 11710–
Landholding Agency: Army
Property Number: 219340255
Status: Unutilized
Comment: 12000 sq. ft., 1-story, most recent use—office.

Bldg. 300, Fort Hamilton
Bellmore Co: Nassau NY 11710–
Landholding Agency: Army
Property Number: 219340256
Status: Underutilized
Comment: 11000 sq. ft., 1-story, most recent use—reserve center.

Bldg. 900, Fort Hamilton
Bellmore Co: Nassau NY 11710–
Landholding Agency: Army
Property Number: 219430259
Status: Underutilized
Comment: 400 sq. ft., 1-story, needs rehab, most recent use—material storage.

Bldg. P–2012, Fort Drum
Ft. Drum Co: Jefferson NY 13602–
Landholding Agency: Army
Property Number: 219440429
Status: Unutilized
Comment: 450 sq. ft., most recent use—water distribution bldg., off-site use only.

Bldg. T–2420, Fort Drum
Ft. Drum Co: Jefferson NY 13602–
Landholding Agency: Army
Property Number: 219440431
Status: Unutilized
Comment: 4340 sq. ft., 1-story, most recent use—warehouse, needs rehab, off-site use only.

Bldg. 134
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520122
Status: Excess
Comment: 8280 GSF, 2-story, 4-family dwelling unit, presence of asbestos, off-site use only.

Bldg. 136
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520123
Status: Excess
Comment: 9340 GSF, 3-story, 4-family dwelling unit, presence of asbestos, off-site use only.

Bldg. 138
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520124
Status: Excess
Comment: 2762 GSF, 2-story, single family dwelling unit, presence of asbestos, off-site use only.

Bldg. 139
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520125
Status: Excess
Comment: 6260 GSF, 1-story, 3-family dwelling unit, presence of asbestos, off-site use only.

Bldg. 142
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520126
Status: Excess
Comment: 6708 GSF, 3-story, 2-family dwelling unit, presence of asbestos, off-site use only.

Bldg. 1266
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520127
Status: Excess
Comment: 3504 GSF, 2-story, single family dwelling unit, presence of asbestos, off-site use only.

Bldg. 1404
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520128
Status: Excess
Comment: 1986 GSF, 3-story, single family dwelling unit, presence of asbestos, off-site use only.

Bldg. 1656
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520129
Status: Excess
Comment: 1736 GSF, 2-story, single family dwelling unit, presence of asbestos, off-site use only.

Bldg. 1666
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520130
Status: Excess
Comment: 1752 GSF, 1-story, single family dwelling unit, presence of asbestos, off-site use only

Bldg. 1970
West Point Army Family Housing
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219520131
Status: Excess
Comment: 2939 GSF, 2-story, single family dwelling unit, presence of asbestos, off-site use only

Bldg. T–601, Fort Drum
Ft. Drum Co: Jefferson NY 13602–
Landholding Agency: Army
Property Number: 219520193
Status: Unutilized
Comment: 2305 sq. ft., 1-story, needs rehab, most recent use—NCO club, off-site use only

Bldg. P–1
Glenn Falls Reserve Center
Glen Falls Co: Warren NY 12801–
Location: 67–73 Warren Street
Landholding Agency: Army
Property Number: 219540015
Status: Unutilized
Comment: 19613 sq. ft., 2 story w/basement, concrete block/brick frame on .475 acres

Bldgs. P–1 & P–2
Elizabethtown Reserve Center
Corner of Water and Cross Streets
Elizabethtown Co: Esses NY 12932–
Landholding Agency: Army
Property Number: 219540016
Status: Unutilized
Comment: 4316 sq. ft. reserve center/1325 sq. ft. motor repair shop, 1 story each, concrete block/brick frame, on 5.05 acres

Bldgs. P–1 & P–2
Olean Reserve Center
423 Riverside Drive
Olean Co: Cattaraugus NY 14760–
Landholding Agency: Army
Property Number: 219540017
Status: Unutilized
Comment: 4464 sq. ft. reserve center/1325 sq. ft. motor repair shop, 1 story each, concrete block/brick frame, on 3.9 acres.

Ohio

15 Units
Military Family Housing
Ravenna Army Ammunition Plant
Ravenna Co: Portage OH 44266–9297
Landholding Agency: Army
Property Number: 219230354
Status: Excess
Comment: 3 bedroom (7 units)—1,824 sq. ft. each, 4 bedroom 8 units)—2,430 sq. ft. each, 2-story wood frame, presence of asbestos, off-site use only.

7 Units
Military Family Housing Garages
Ravenna Army Ammunition Plant
Ravenna Co: Portage OH 44266–9297
Landholding Agency: Army
Property Number: 219230355
Status: Excess
Comment: 1–4 stall garage and 6–3 stall garages, presence of asbestos, off-site use only.

Bldg. P–3
Doan U.S. Army Reserve Center
Portmonth Co: Scioto OH 45662–
Landholding Agency: Army
Property Number: 219320311
Status: Unutilized
Comment: 10752 sq. ft., 1-story brick, most recent use—office, possible asbestos.

Bldg. P–4
Doan U.S. Army Reserve Center
Portmonth Co: Scioto OH 45662–
Landholding Agency: Army
Property Number: 219320312
Status: Unutilized
Comment: 2508 sq. ft., 1-story brick, most recent use—vehicle maint. shop.

Bldg. P–2
Hayes U.S. Army Reserve Center
Fremont Co: Sandusky OH 43430–
Landholding Agency: Army
Property Number: 219320314
Status: Unutilized
Comment: 3956 sq. ft., 1-story brick, most recent use—office, possible asbestos.

Bldg. P–3
Hayes U.S. Army Reserve Center
Fremont Co: Sandusky OH 43420–
Landholding Agency: Army
Property Number: 219320315
Status: Unutilized
Comment: 1259 sq. ft., 1-story brick, most recent use—vehicle maint. shop, possible asbestos.

Oklahoma

Bldg. T–2545
Fort Sill
2545 Sheridan Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219011255
Status: Unutilized
Comment: 1994 sq. ft.; asbestos; wood frame; 2 floors; No operating sanitary facilities; most recent use—enl. barracks basic.

Bldg. T–2606
Fort Sill
2606 Currie Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219011273
Status: Unutilized
Comment: 2722 sq. ft.; possible asbestos, one floor wood frame; most recent use—Headquarters Bldg

Bldg. T–3507
Fort Sill
3507 Sheridan Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219011315
Status: Unutilized
Comment: 2904 sq. ft.; possible asbestos; potential heavy metal contamination; wood frame; most recent use—chapel.

Bldg. T–4919
Fort Sill
4919 Post Road
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219014842
Status: Unutilized
Comment: 603 sq. ft.; 1 story mobile home trailer; possible asbestos; needs rehab.

Bldg. T–4523
Fort Sill
4523 Wilson Rd
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219014933
Status: Unutilized
Comment: 1639 sq. ft.; 1 story wood frame; needs rehab; possible asbestos; most recent use—storage.

Bldg. T–838, Fort Sill
838 Macomb Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219220609
Status: Unutilized
Comment: 151 sq. ft., wood frame, 1 story, off-site removal only, most recent use—vet facility (quarantine stable).

Bldg. T–2702, Fort Sill
2702 Thomas Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240655
Status: Unutilized
Comment: 5520 sq. ft., 1 story wood frame, needs rehabs, off-site use only, most recent use—admin.

Bldg. T–3311, Fort Sill
3311 Naylor Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240656
Status: Unutilized
Comment: 1468 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—admin.

Bldg. T–954, Fort Sill
954 Quinette Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240659
Status: Unutilized
Comment: 3571 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—motor repair shop.

Bldg. T–1050, Fort Sill
1050 Quinette Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240660
Status: Unutilized
Comment: 6240 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—barracks.

Bldg. T–1051, Fort Sill
1051 Quinette Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240661
Status: Unutilized
Comment: 6240 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—barracks.

Bldg. T–2703, Fort Sill
2703 Thomas Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240667
Status: Unutilized
Comment: 5520 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—enlisted barracks.

Bldg. T–2704, Fort Sill
2704 Thomas Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240668
Status: Unutilized
Comment: 4420 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—enlisted barracks.

Bldg. T–2740, Fort Sill
2740 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240669
Status: Unutilized
Comment: 8210 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—enlisted barracks.

Bldg. T–2745, Fort Sill
2745 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240670
Status: Unutilized
Comment: 8288 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—enlisted barracks.

Bldg. T–2633, Fort Sill
2633 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240672
Status: Unutilized
Comment: 19455 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—enlisted mess.

Bldg. T–2701, Fort Sill
2701 Thomas Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240673
Status: Unutilized
Comment: 5520 sq. ft., 2 story wood frame, needs rehab, off-site use only, most recent use—storage.

Bldg. T–2907, Fort Sill
2907 Marcy Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240674
Status: Unutilized
Comment: 3861 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—barracks.

Bldg. T–2928, Fort Sill
2928 Custer Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240675
Status: Unutilized
Comment: 2315 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—storage.

Bldg. T–4050, Fort Sill
4050 Pitman Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240676
Status: Unutilized
Comment: 3177 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—storage.

Bldg. P–3032, Fort Sill
3032 Haskins Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240678
Status: Unutilized
Comment: 101 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—general storehouse.

Bldg. T–3325, Fort Sill
3325 Naylor Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240681
Status: Unutilized
Comment: 8832 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—warehouse.

Bldg. T–260, Fort Sill
260 Corral Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219240776
Status: Unutilized
Comment: 4838 sq. ft., 2 story wood frame, off-site use only, possible asbestos, most recent use—admin.

Bldg. T–5122, Fort Sill
Lawton Co: Comanche OK 73501–5100
Landholding Agency: Army
Property Number: 219320334
Status: Unutilized
Comment: 1-story metal frame, possible asbestos, off-site use only.

Bldg, P–6220, Fort Sill
Lawton Co: Comanche OK 73501–5100
Landholding Agency: Army
Property Number: 219320335
Status: Unutilized
Comment: 848 sq. ft., 1-story metal frame, possible asbestos, most recent use—construction bldg., off-site use only.

Bldg. S–6228, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219320336
Status: Unutilized
Comment: 352 sq. ft., 1-story wood frame, possible asbestos, most recent use—range house, off-site use only.

Bldg. P–2610, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330372
Status: Unutilized
Comment: 512 sq. ft., 1-story, possible asbestos, most recent use—classroom, off-site use only.

Bldg. T–4722, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330373
Status: Unutilized
Comment: 3375 sq. ft., 2-story possible asbestos, most recent use—admin., off-site use only.

Bldg. T–232, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330377
Status: Unutilized
Comment: 2868 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T312, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330379
Status: Unutilized
Comment: 1970 sq. ft., 2-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T–1652, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330380
Status: Unutilized
Comment: 1505 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T–1665, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330381
Status: Unutilized
Comment: 1305 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T–2034, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330383
Status: Unutilized
Comment: 401 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T–2705, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330384
Status: Unutilized
Comment: 1601 sq. ft., 2-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T–2706, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330385
Status: Unutilized
Comment: 2156 sq. ft., 2-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T2709, Fort Sill
Lawton Co: Comanche OK 73503–5100

Landholding Agency: Army
Property Number: 219330388
Status: Unutilized
Comment: 2112 sq. ft., 2-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T2756, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330390
Status: Unutilized
Comment: 5172 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T2757, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330391
Status: Unutilized
Comment: 5172 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only.

Bldg. T3026, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330392
Status: Unutilized
Comment: 2454 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T3710, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330396
Status: Unutilized
Comment: 1176 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T4035, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330401
Status: Unutilized
Comment: 867 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T4474, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330402
Status: Unutilized
Comment: 1159 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5011, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330403
Status: Unutilized
Comment: 1556 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5120, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330405
Status: Unutilized
Comment: 1471 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5124, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330407
Status: Unutilized
Comment: 1287 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5245, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330410
Status: Unutilized
Comment: 3081 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5246, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330411
Status: Unutilized
Comment: 3081 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5247, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330412
Status: Unutilized
Comment: 3081 sq. ft., possible asbestos, most recent use—storage, off-site use only.

Bldg. T5248, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330413
Status: Unutilized
Comment: 3081 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5249, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330414
Status: Unutilized
Comment: 2920 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5250, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330415
Status: Unutilized
Comment: 3257 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5251, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330416
Status: Unutilized
Comment: 3257 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5252, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330417
Status: Unutilized
Comment: 3081 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5628, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330418
Status: Unutilized
Comment: 2016 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T5637, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219330419
Status: Unutilized
Comment: 1606 sq. ft., 1-story, possible asbestos, most recent use—storage, off-site use only.

Bldg. T–282
Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219410236
Status: Unutilized
Comment: 2420 sq. ft.; 2 story; wood frame; most recent use—admin.; off-site use only.

Bldg. T–268, Fort Sill
268 Corral Road
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440338
Status: Excess
Comment: 4836 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–269, Fort Sill
268 Corral Road
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440339
Status: Excess
Comment: 7840 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–281, Fort Sill
281 Corral Road
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440340
Status: Excess
Comment: 4836 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3720, Fort Sill
3720 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440346
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3723, Fort Sill
3723 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440347
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3724, Fort Sill
3724 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440348
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3725, Fort Sill
3725 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army

Property Number: 219440349
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3726, Fort Sill
3726 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440350
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3732, Fort Sill
3732 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440352
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3733, Fort Sill
3733 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440353
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3734, Fort Sill
3734 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440354
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3735, Fort Sill
3735 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440355
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3736, Fort Sill
3736 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440356
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3750, Fort Sill
3750 Wilson Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440358
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3752, Fort Sill
3752 Wilson Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440359
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3753, Fort Sill
3753 Wilson Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440360
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3754, Fort Sill
3754 Wilson Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440361
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3755, Fort Sill
3755 Wilson Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440362
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3756, Fort Sill
3756 Wilson Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440363
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–3738, Fort Sill
3738 Webster Street
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440367
Status: Excess
Comment: 4525 sq. ft., 2 story wood frame, possible asbestos and lead paint, off-site removal only, most recent use—barracks.

Bldg. T–5215
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440376
Status: Unutilized
Comment: 2797 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—admin., off-site use only.

Bldg. T–3721
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440377
Status: Unutilized
Comment: 3042 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—mess hall, off-site use only.

Bldg. T–3737
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440378
Status: Unutilized
Comment: 2964 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—mess hall, off-site use only.

Bldg. T–3758
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440379
Status: Unutilized
Comment: 3132 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—mess hall, off-site use only.

Bldg. T–5219
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440381
Status: Unutilized
Comment: 2662 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—classroom, off-site use only.

Bldg. T–4226
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440384
Status: Unutilized
Comment: 114 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—storage, off-site use only.

Bldg. T–280
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440387
Status: Unutilized
Comment: 7834 sq. ft., 2-story wood frame, possible asbestos and lead paint, most recent use—storage, off-site use only.

Bldg. P–1815
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219440388
Status: Unutilized
Comment: 14392 sq. ft., 2-story wood frame, possible asbestos and lead paint, most recent use—storage off-site use only.

Bldg. P–1015, Fort Sill
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219520197
Status: Unutilized
Comment: 15402 sq. ft., 1-story, most recent use—storage, off-site use only.

Bldg. T–2405, Fort Sill
2405 Darby Loop
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540019
Status: Excess
Comment: 114 sq. ft., 1 story steel frame, possible asbestos/lead paint, off-site removal only, most recent use—flammable material storage.

Bldg. T–2645, Fort Sill
2645 Tacy Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540020
Status: Excess
Comment: 3135 sq. ft., 1 story, wood frame, possible/asbestos/lead paint, off-site removal only, most recent use—vehicle maintenance shop.

Bldg. T–2646, Fort Sill
2646 Tacy Street

Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540021
Status: Excess
Comment: 3213 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—vehicle maintenance shop.

Bldg. T–2648, Fort Sill
2648 Tacy Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540022
Status: Excess
Comment: 9407 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—general purpose warehouse.

Bldg. T–3150, Fort Sill
3150 Hoskins Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540023
Status: Excess
Comment: 9359 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—warehouse.

Bldg. T–2649, Fort Sill
2649 Tacy Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540024
Status: Excess
Comment: 9374 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—general storehouse.

Bldg. T–2741, Fort Sill
2741 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540025
Status: Excess
Comment: 8288 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—enlisted barracks.

Bldg. T–3727, Fort Sill
3727 Webster Street
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540026
Status: Excess
Comment: 4524 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—enlisted barracks.

Bldg. T–2742, Fort Sill
2742 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540027
Status: Excess
Comment: 8116 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—transient barracks.

Bldg. T–2744, Fort Sill
2744 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540028
Status: Excess
Comment: 8116 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—transient barracks.

Bldg. T–2747, Fort Sill
2747 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540029
Status: Excess
Comment: 8192 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—transient barracks.

Bldg. T–2748, Fort Sill
2748 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540030
Status: Excess
Comment: 8116 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—transient barracks.

Bldg. T–2749, Fort Sill
2749 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540031
Status: Excess
Comment: 8116 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—transient barracks.

Bldg. T–2754, Fort Sill
2754 Miner Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540032
Status: Excess
Comment: 4992 sq. ft., 2 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—transient barracks.

Bldg. T–2940, Fort Sill
2940 Currie Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540033
Status: Excess
Comment: 4397 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—recreation building.

Bldg. T–4036, Fort Sill
4036 Currie Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540034
Status: Excess
Comment: 4532 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—classroom.

Bldg. T–5043, Fort Sill
5043 Coune Road
Lawton Co: Comanche OK 73593–5100
Landholding Agency: Army
Property Number: 219540035
Status: Excess
Comment: 1563 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—PX Branch.

Bldg. T–5050, Fort Sill
5050 Rumple Road
Lawton Co: Comanche OK 73503–5100
Landholding Agency: Army
Property Number: 219540036
Status: Excess
Comment: 2470 sq. ft., 1 story wood frame, possible asbestos/lead paint, off-site removal only, most recent use—PX Branch.

South Carolina

Bldg. 9608
Fort Jackson
Fort Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219410200
Status: Unutilized
Comment: 4720 sq. ft.; wood frame; 2 story; needs rehab; off-site use only; utilities upgrade; most recent use—enlisted quarters.

Bldg. 5492
Fort Jackson
Fort Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219410207
Status: Unutilized
Comment: 2379 sq. ft.; wood frame; 1 story; off-site use only; utilities upgrade; most recent use—information management office.

Bldg. 10–436
Fort Jackson
Fort Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219410217
Status: Unutilized
Comment: 100 sq. ft.; wood frame; 1 story; off-site use only; limited utilities; needs rehab.; most recent use—shed.

Bldg. 2516
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510138
Status: Excess
Comment: 520 sq. ft., 1-story, wood frame, most recent use—admin., off-site use only.

Bldg. 5412
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510139
Status: Excess
Comment: 3900 sq. ft., 1-story, wood frame, needs rehab, most recent use—admin., off-site use only.

Bldg. 10–714
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510143
Status: Excess
Comment: 2500 sq. ft., 1-story, wood frame, needs rehab, most recent use—enlisted dining, off-site use only.

Bldg. 10–721
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510144
Status: Excess
Comment: 2512 sq. ft., 1-story, wood frame, needs rehab, most recent use—enlisted dining, off-site use only.

Bldg. 10–708, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510148

Status: Excess
Comment: 1170 sq. ft., 1-story, wood frame, needs rehab, most recent use—detached day room, off-site use only.

Bldg. 10–715, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510149
Status: Excess
Comment: 1170 sq. ft., 1-story, wood frame, needs rehab, most recent use—detached day room, off-site use only.

Bldg. 10–722, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510150
Status: Excess
Comment: 1170 sq. ft., 1-story, wood frame, needs rehab, most recent use—detached day room, off-site use only.

Bldg. 10–762, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510156
Status: Excess
Comment: 1108 sq. ft., 1-story, wood frame, needs rehab, most recent use—detached day room, off-site use only.

Bldg. 10–716, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510160
Status: Excess
Comment: 1040 sq. ft., 2-story, wood frame, needs rehab, most recent use—hdqtrs. bldg., off-site use only.

Bldg. 10–723, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510161
Status: Excess
Comment: 1008 sq. ft., 2-story, wood frame, needs rehab, most recent use—hdqtrs. bldg., off-site use only.

Bldg. 9606, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510168
Status: Excess
Comment: 1144 sq. ft., 1-story, wood frame, needs rehab, most recent use—criminal investigation bldg., off-site use only.

Bldg. 9607, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510169
Status: Excess
Comment: 4720 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–712, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510176
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–713, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510177
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–719, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510179
Status: Unutilized
Comment: 4800 sq. ft. 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–720, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510180
Status: Unutilized
Comment: 4800 sq. ft. 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–726, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510183
Status: Unutilized
Comment: 4720 sq. ft. 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–727, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510184
Status: Unutilized
Comment: 4800 sq. ft. 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–733, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510187
Status: Unutilized
Comment: 4800 sq. ft. 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–740, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510191
Status: Unutilized
Comment: 2257 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–741, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510192
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–747, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510195
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–748, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510196
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–754, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510199
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–755, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510200
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–761, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510203
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–767, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510205
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Bldg. 10–768, Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Landholding Agency: Army
Property Number: 219510206
Status: Unutilized
Comment: 4800 sq. ft., 2-story, wood frame, needs rehab, most recent use—enlisted billets, off-site use only.

Texas

Harlingen USARC
1920 East Washington
Harlingen Co: Cameron TX 78550-
Landholding Agency: Army
Property Number: 219120304
Status: Excess
Comment: 19440 sq. ft., 1-story brick, needs rehab, with approx. 6 acres including parking areas, most recent use—Army Reserve Training Center.

Bldg. P–3824, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220398
Status: Unutilized
Comment: 2232 sq. ft., 1-story concrete structure, within National Landmark Historic District, off-site removal only.

Bldg. 440, Fort Bliss
El Paso Co: El Paso TX 79916–
Landholding Agency: Army
Property Number: 219320355
Status: Unutilized
Comment: 1651 sq. ft., 1-story brick, most recent use—education facility, off-site use only.

Bldg. 1164, Fort Bliss
El Paso Co: El Paso TX 79916–
Landholding Agency: Army
Property Number: 219330420
Status: Unutilized

Comment: 2054 net sq. ft., 1 story wood, most recent use—admin. bldg., needs rehab, off-site use only.

Bldg. 512, Fort Hood
Ft. Hood Co: Coryell TX 76544–
Landholding Agency: Army
Property Number: 219330421
Status: Unutilized
Comment: 6733 sq. ft., 1 story wood, most recent use—commissary, off-site use only.

Bldg. P–293, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330441
Status: Unutilized
Comment: 442 sq. ft., 1-story brick, needs rehab, within National Landmark Historic District, off-site use only.

Bldg. P–298, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330442
Status: Unutilized
Comment: 3200 sq. ft., 1-story hollow tile, needs rehab, within National Landmark Historic District, off-site use only.

Bldg. P–377, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330444
Status: Unutilized
Comment: 74 sq. ft., 1-story brick, needs rehab, most recent use—scale house, located in National Historic District, off-site use only.

Bldg. T–1492
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330483
Status: Unutilized
Comment: 2284 sq. ft., 1-story wood frame, needs rehab, most recent use—admin., off-site use only.

Bldg. T–2066
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330484
Status: Unutilized
Comment: 4720 sq. ft., 2-story wood frame, needs rehab, most recent use—admin., off-site use only.

Bldg. T–5901
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330486
Status: Unutilized
Comment: 742 sq. ft., 1-story wood frame, most recent use—admin., off-site use only.

Bldg. T–1464
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330487
Status: Unutilized
Comment: 3778 sq. ft., 1-story wood frame, needs rehab, most recent use—t-shirts and frame shop, off-site use only.

Bldg. T–1874
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330488
Status: Unutilized
Comment: 3108 sq. ft., 1-story wood frame, needs rehab, off-site use only.

Bldg. T-2193
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330490
Status: Unutilized
Comment: 1800 sq. ft., 1-story wood frame, needs rehab, most recent use—storage shed, off-site use only.

Bldg. T-2510
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330492
Status: Unutilized
Comment: 3210 sq. ft., 1-story wood frame, needs rehab, most recent use—storage, off-site use only.

Bldg. T-2512
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330495
Status: Unutilized
Comment: 18,260 sq. ft., 1-story wood frame, needs rehab, most recent use—vehicle maintenance shop, off-site use only.

Bldg. T–2520
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330498
Status: Unutilized
Comment: 31,296 sq. ft., 1-story wood frame, needs rehab, most recent use—physical fitness, off-site use only.

Bldg. T–2183
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330499
Status: Unutilized
Comment: 3000 sq. ft., 1-story wood frame, needs rehab, most recent use—stable, off-site use only.

Bldg. T–6231
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330500
Status: Unutilized
Comment: 600 sq. ft., 1-story wood frame, most recent use—firing range, off-site use only.

Bldg. T–6232
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330501
Status: Unutilized
Comment: 401 sq. ft., 1-story wood frame, most recent use—firing range, off-site use only.

Bldg. T–6236
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330502
Status: Unutilized
Comment: 401 sq. ft., 1-story wood frame, needs rehab, most recent use—firing range, off-site use only.

Bldg. T–211
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219340194
Status: Unutilized
Comment: 2284 sq. ft., 1-story wood frame, most recent use—instruction bldg., off-site use only.

Bldg. P–5902
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219340197
Status: Unutilized
Comment: 1157 sq. ft., 1-story wood, most recent use—warehouse, off-site use only.

Bldg. 315, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219410315
Status: Unutilized
Comment: 2400 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only.

Bldg. 316, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219410316
Status: Unutilized
Comment: 1500 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only.

Bldg. 317, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219410317
Status: Unutilized
Comment: 2000 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only.

Bldg. 4480, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219410322
Status: Unutilized
Comment: 2160 sq. ft., 1-story, most recent use—storage, off-site use only.

Bldg. 871, Fort Bliss
El Paso Co: El Paso TX 79916–
Landholding Agency: Army
Property Number: 219420455
Status: Unutilized
Comment: 3540 sq. ft., 1-story wood, needs repair, most recent use—storage, off-site use only.

Bldg. 1165, Fort Bliss
El Paso Co: El Paso TX 79916–
Landholding Agency: Army
Property Number: 219420456
Status: Unutilized
Comment: 5263 sq. ft., 1-story wood, needs repair, most recent use—office, off-site use only.

Bldg. 4718, Fort Bliss
El Paso Co: El Paso TX 79916–
Landholding Agency: Army
Property Number: 219420459
Status: Unutilized
Comment: 899 sq. ft., 1-story wood, needs repair, most recent use—storage, off-site use only.

Bldg. 4719, Fort Bliss
El Paso Co: El Paso TX 79916–

Landholding Agency: Army
Property Number: 219420460
Status: Unutilized
Comment: 519 sq. ft., 1-story wood, needs repair, most recent use—storage, off-site use only.

Bldg. 4105, Fort Hood
Ft. Hood Co: Coryell TX 76544–
Landholding Agency: Army
Property Number: 219420463
Status: Unutilized
Comment: 2535 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only.

Bldgs. 7050, 7058
Fort Bliss
Ft. Bliss TX 79916–
Landholding Agency: Army
Property Number: 219430181
Status: Unutilized
Comment: 1809–8584 sq. ft., 1-story wood frame, needs rehab, most recent use—office/club, off-site use only.

Bldg. 1, Fort Hood
Lubbock Co: Lubbock TX 79408–
Landholding Agency: Army
Property Number: 219440336
Status: Unutilized
Comment: 11440 sq. ft., 1-story, fair condition, to be vacated 6/30/95, off-site removal only, most recent use—army reserve center.

Bldg. 2, Fort Hood
Lubbock Co: Lubbock TX 79408–
Landholding Agency: Army
Property Number: 219440337
Status: Unutilized
Comment: 2818 sq. ft., 1-story, fair condition, to be vacated 6/30/95, off-site removal only, most recent use—army reserve center maintenance shop.

Bldg. P–452
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440449
Status: Excess
Comment: 600 sq. ft., 1-story stucco frame, lead paint, off-site removal only, most recent use—bath house.

Bldg. P–2009
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440450
Status: Excess
Comment: 144 sq. ft., 1-story brick frame, lead paint, off-site removal only, no utilities, most recent use—flammable material storage.

Bldg. T–5016
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440451
Status: Excess
Comment: 3146 sq. ft., 1-story wood frame, asbestos & lead paint, limited utilities, off-site removal only, most recent use—fire station vehicle storage.

Bldg. T–5017
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440452
Status: Excess
Comment: 3146 sq. ft., 1-story wood frame, asbestos & lead paint, off-site removal only, most recent use—admin/storage.

Bldg. T–5018
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440453
Status: Excess
Comment: 1140 sq. ft., 1-story wood frame, asbestos & lead paint, off-site removal only, most recent use—fire station.

Bldg. P–6615
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440454
Status: Excess
Comment: 400 sq. ft., 1-story concrete frame, off-site removal only, most recent use—detached garage.

Bldg. S–1111, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520117
Status: Unutilized
Comment: 8629 gr. sq. ft., 1-story, presence of lead base paint and asbestos, most recent use—admin., off-site use only.

Bldg. T–300, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520118
Status: Unutilized
Comment: 8352 gr. sq. ft., 1-story, presence of lead base paint and asbestos, most recent use—admin., off-site use only.

Bldg. T–1028, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520119
Status: Unutilized
Comment: 6302 gr. sq. ft., 1-story, presence of lead base paint and asbestos, most recent use—admin., off-site use only.

Bldg. T–1051, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520120
Status: Unutilized
Comment: 6617 gr. sq. ft., 1-story, presence of lead base paint and asbestos, most recent use—admin., off-site use only.

Bldg. P–1059, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520121
Status: Unutilized
Comment: 700 gr. sq. ft., presence of lead base paint and asbestos, most recent use—admin., off-site use only.

Bldg. P–250
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520136
Status: Excess
Comment: 42955 sq. ft., 4-story, presence of lead base paint & asbestos, most recent use—barracks, classrooms, offices, located in Historic District.

Bldg. 307, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219520198
Status: Excess
Comment: 1600 sq. ft., 1-story, most recent use—med. clinic, off-site use only.

Bldg. 507, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219520199
Status: Unutilized
Comment: 1600 sq. ft., 1-story, presence of asbestos, off-site use only.

Bldg. 831, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219520200
Status: Unutilized
Comment: 4780 sq. ft., 2-story, most recent use—training, needs rehab, off-site use only.

Bldg. 4201, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219520201
Status: Unutilized
Comment: 9000 sq. ft., 1-story, off-site use only.

Bldg. 4202, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219520202
Status: Unutilized
Comment: 5400 sq. ft., 1-story, most recent use—storage, off-site use only.

Bldg. P–1030
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520203
Status: Excess
Comment: 8212 sq. ft., 1-story, most recent use—storage, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–1053
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520204
Status: Excess
Comment: 6452 sq. ft., 1-story, presence of asbestos & lead base paint, most recent use—med. clinic, located in Historic District, off-site use only.

Bldg. P–2004
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520205
Status: Excess
Comment: 5991 sq. ft., 1-story, most recent use—med. clinic, needs rehab, presence of lead base paint, located in Historic District.

Bldg. T–2235
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520206
Status: Excess
Comment: 2100 sq. ft., 1-story, most recent use—med. research lab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2289

Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520207
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2290
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520208
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2291
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520209
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2293
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520210
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2295
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520211
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2296
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520212
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2297
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520213
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2298
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520214
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–2299
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520215
Status: Excess
Comment: 4720 sq. ft., 2-story, most recent use—training facility, needs rehab, presence of asbestos & lead base paint, located in Historic District, off-site use only.

Bldg. T–5101
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520216
Status: Excess
Comment: 18792 sq. ft., 1-story, most recent use—storage, presence of asbestos & lead base paint, off-site use only.

Bldg. 832, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219540068
Status: Excess
Comment: 3983 sq. ft., 2 story, off-site removal only, most recent use—admin.

Land, Fort Hood
Ft. Hood Co: Bell TX 76544–
Landholding Agency: Army
Property Number: 219540069
Status: Excess
Comment: 4.808 acres of unimproved land, potential utilities.

Bldg. T–2654, Fort Sam Houston
2334 Harney Road
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219540070
Status: Excess
Comment: 992 sq. ft., 1 story concrete frame, off-site removal only, need repairs, most recent use—machine shop.

Virginia

Bldg. T3003
Fort Picket
W. 33rd Street
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219440446
Status: Underutilized
Comment: 1750 sq. ft., 1 story wood frame, most recent use—confinement facility, need repairs.

Bldg. T2800
Fort Picket
Off Armistead Road
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219440447
Status: Underutilized
Comment: 2056 sq. ft., 1 story wood frame, most recent use—clinic, need repairs.

Bldg. T2857
Fort Picket
Off Armistead Road
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219440448
Status: Underutilized
Comment: 2987 sq. ft., 1 story wood frame, most recent use—admin.

Bldg. T–87
Fort Monroe
Ft. Monroe VA 23651–
Landholding Agency: Army
Property Number: 219510130
Status: Unutilized
Comment: 395 sq. ft., 1-story, needs repair, most recent use—general storage.

Bldg. TT0104
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–5000
Landholding Agency: Army
Property Number: 219520217
Status: Unutilized
Comment: 1464 sq. ft., 1-story, most recent use—training, needs rehab, off-site use only.

Bldg. TT0105
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–5000
Landholding Agency: Army
Property Number: 219520218
Status: Unutilized
Comment: 2273 sq. ft., 1-story, most recent use—storage, off-site use only.

Washington

Reserve Center, Longview
14 Port Way
Longview Co: Cowlitz WA 98632–
Landholding Agency: Army
Property Number: 219320368
Status: Unutilized
Comment: 17,304 sq. ft., 1-story training facility, scheduled to be vacated 9/93.

Bldg. 9771, Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Landholding Agency: Army
Property Number: 219510133
Status: Unutilized
Comment: 3965–5220 sq. ft., 2-story, needs rehab, most recent use—family housing used as storage, off-site use only.

Bldg. 9772, Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Landholding Agency: Army
Property Number: 219510134
Status: Unutilized
Comment: 3965–5220 sq. ft., 2-story, needs rehab, most recent use—family housing used as storage, off-site use only.

Bldg. 9773, Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Landholding Agency: Army
Property Number: 219510135
Status: Unutilized
Comment: 3965–5220 sq. ft., 2-story, needs rehab, most recent use—family housing used as storage, off-site use only.

Bldg. 9774, Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Landholding Agency: Army
Property Number: 219510136
Status: Unutilized
Comment: 3965–5220 sq. ft., 2-story, needs rehab, most recent use—family housing used as storage, off-site use only.

Wisconsin

Bldg. 7174, Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219320372
Status: Underutilized
Comment: 8466 sq. ft., 1-story, presence of asbestos, needs rehab, used intermittently by Army, most recent use—gen. purpose warehouse.

Bldg. 7176, Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219320373
Status: Underutilized
Comment: 5415 sq. ft., 1-story, presence of asbestos, needs rehab, used intermittently by Army, most recent use—gen. purpose warehouse.

Bldg. 7261, Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219320374
Status: Unutilized
Comment: 4800 sq. ft., 1-story, presence of asbestos, needs rehab, used intermittently by Army, most recent use—gen. purpose warehouse.

Bldg. 2321
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430225
Status: Unutilized
Comment: 682 sq. ft., 1-story, needs rehab, most recent use—heat plant.

Bldg. 2673
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430226
Status: Unutilized
Comment: 13515 sq. ft., 1-story, needs rehab, most recent use—theater.

Bldg. 2110
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430232
Status: Unutilized
Comment: 18270 sq. ft., 1-story, needs rehab, most recent use—vehicle maint.

Bldg. 2320
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430233
Status: Unutilized
Comment: 33345 sq. ft., 1-story, needs rehab, most recent use—vehicle maint.

Bldg. 2763
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430236
Status: Unutilized
Comment: 3250 sq. ft., 1-story, needs rehab, most recent use—admin.

Bldg. 2755
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430239
Status: Unutilized
Comment: 168 sq. ft., 1-story, needs rehab, most recent use—dispatch bldg.

Bldg. 850
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219430243
Status: Unutilized
Comment: 2350 sq. ft., 1-story, needs rehab, most recent use—dining facility.

Bldg. 240
Fort McCoy
Ft. McCoy Co: Monroe WI 54656–5162
Landholding Agency: Army
Property Number: 219520219
Status: Unutilized
Comment: 1750 sq. ft., 1-story, needs rehab, most recent use—admin.

Land (by State)

Alaska

Harding Lake Recreation Area
Fort Richardson
Anchorage AK
Landholding Agency: Army
Property Number: 219540009
Status: Underutilized
Comment: 25.5 acres, most recent use—recreation.

Georgia

Land (Railbed)
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Landholding Agency: Army
Property Number: 219440440
Status: Unutilized
Comment: 17.3 acres extending 1.24 miles, no known utilities potential.

Kansas

Parcel 1
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth KS 66027–5020
Landholding Agency: Army
Property Number: 219012333
Status: Underutilized
Comment: 14.4+ acres.

Parcel 3
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth KS 66027–5020
Landholding Agency: Army
Property Number: 219012336
Status: Underutilized
Comment: 261+ acres; heavily forrested; no access to a public right-of-way; selected periods are reserved for military/training exercises.

Parcel 4
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth KS 66027–5020
Landholding Agency: Army
Property Number: 219012339
Status: Underutilized
Comment: 24.1+ acres; selected periods are reserved for military/training exercises; steep/wooded area.

Parcel 6
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth KS 66027–5020
Location: Extreme north east corner of installation in Flood Plain of the Missouri River.
Landholding Agency: Army
Property Number: 219012340
Status: Underutilized
Comment: 1280 acres; selected periods are reserved for military/training exercises.

Parcel F
Fort Leavenworth
Combined Arms Center
Fort Leavenworth Co: Leavenworth KS 66027–5020
Landholding Agency: Army
Property Number: 219012552
Status: Unutilized
Comment: 33.4 acres; area is land locked; heavily wooded; periodic flooding.

Louisiana

Land—Louisiana AAP
Doyline Co: Webster LA 71023–
Landholding Agency: Army
Property Number: 219430133
Status: Underutilized
Comment: 3 acres, most recent use—excess vehicle storage, secure area with alternate access.

Minnesota

Land
Twin Cities Army Ammunition Plant
New Brighton Co: Ramsey MN 55112–
Landholding Agency: Army
Property Number: 219120269
Status: Underutilized
Comment: Approx. 25 acres, possible contamination, secured area with alternate access.

Montana

U.S. Army Reserve Center
Marcella Avenue
Lewistown Co: Fergus MT
Landholding Agency: Army
Property Number: 219420009
Status: Unutilized
Comment: 4.16 acres of bare land.

Nevada

Parcel A
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Location: At Foot of Eastern slope of Mount Grant in Wassuk Range & S.W. edge of Walker Lane
Landholding Agency: Army
Property Number: 219012049
Status: Unutilized
Comment: 160 acres, road and utility easements, no utility hookup, possible flooding problem.

Parcel B
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Location: At foot of Eastern slope of Mount Grant in Wassuk Range & S.W. edge of Walker Lane
Landholding Agency: Army
Property Number: 219012056
Status: Unutilized
Comment: 1920 acres; road and utility easements; no utility hookup; possible flooding problem.

Parcel C

Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Location: South-southwest of Hawthorne along HWAAP's South Magazine Area at Western edge of State Route 359
Landholding Agency: Army
Property Number: 219012057
Status: Unutilized
Comment: 85 acres; road & utility easements; no utility hookup.

Parcel D
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Location: South-southwest of Hawthorne along HWAAP'S South Magazine Area at western edge of State Route 359.
Landholding Agency: Army
Property Number: 219012058
Status: Unutilized
Comment: 955 acres; road & utility easements; no utility hookup.

New York

Galeville Army Training Site
Shawangunk Co: Ulster NY 12589–
Landholding Agency: Army
Property Number: 219510128
Status: Underutilized
Comment: 621.05 acres, improved w/inactive runway, airfield & taxiway, potential utilities, 234 acres is wetlands and habitat for threatened species.

Land—6.965 Acres
Dix Avenue
Queensbury Co: Warren NY 12801–
Landholding Agency: Army
Property Number: 219540018
Status: Unutilized
Comment: 6.96 acres of vacant land, located in industrial area, potential utilities.

Ohio

5 acres
Doan U.S. Army Reserve Center
Portmonth Co: Scioto OH 45662–
Landholding Agency: Army
Property Number: 219320313
Status: Unutilized
Comment: 5 acres including paved roads, parking, sidewalks, etc.

3 acres
Hayes U.S. Army Reserve Center
Fremont Co: Sandusky OH 43420–
Landholding Agency: Army
Property Number: 219320316
Status: Unutilized
Comment: 3 acres including paved roads, parking, sidewalks, etc.

Tennessee

Milan Army Ammunition Plant
Milan Co: Carroll TN 38358–
Location: Plant boundary in the northeast corner of the plant & housing area
Landholding Agency: Army
Property Number: 219010547
Status: Excess
Comment: 17.2 acres; right of entry legal constraint.

Holston Army Ammunition Plant
Kingsport Co: Hawkins TN 61299–6000
Landholding Agency: Army
Property Number: 219012338
Status: Unutilized
Comment: 8 acres; unimproved; could provide access; 2 acres unusable; near explosives.

Land
Milan Army Ammunition Plant
NE corner of plant & housing area
Milan Co: Carroll TN 38358–
Landholding Agency: Army
Property Number: 219240780
Status: Unutilized
Comment: 17.2 acres, secured area w/ alternate access, most recent use—buffer zone.

Texas

Vacant Land, Fort Sam Houston
All of Block 1800, Portions of Blocks 1900, 3100 and 3200
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220438
Status: Unutilized
Comment: 244.47 acres, 85% located in floodplain, possibility of unexploded ordance.

Old Camp Bullis Road
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219420461
Status: Unutilized
Comment: 7.16 acres, rural gravel road.

Camp Bullis, Tract 9
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219420462
Status: Unutilized
Comment: 1.07 acres of undeveloped land.

Suitable/Unavailable Properties

Buildings (by State)

Arizona

Bldg. S–306
Yuma Proving Ground
Yuma Co: Yuma/La Paz AZ 85365–9104
Landholding Agency: Army
Property Number: 219420346
Status: Unutilized
Comment: 4103 sq. ft., 2-story, needs major rehab, scheduled to be vacated on or about 2/95.

Colorado

Bldg. P–1388
Fort Carson
Colorado Springs Co: El Paso CO 80913–
Landholding Agency: Army
Property Number: 219430134
Status: Unutilized
Comment: 240 sq. ft., 1-story steel structure, needs rehab, secure area with alternate access, off-site use only.

Georgia

Bldg. T201, Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219420357
Status: Unutilized
Comment: 2929 sq. ft., 1-story wood frame, needs repair, most recent use—offices, off-site use only.

Bldg. T–902, Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219420360
Status: Unutilized
Comment: 2990 sq. ft., 1-story wood frame, needs repair, most recent use—offices, off-site use only.

Bldg. 704, Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219420364
Status: Unutilized
Comment: 2028 sq. ft., 1-story, needs major repair, most recent use—admin.

Bldg. TT0791
Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219440408
Status: Unutilized
Comment: 1440 sq. ft., 1-story aluminum frame, needs rehab, most recent use—aces. facility, off-site use only.

Bldg. TT0792
Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219440409
Status: Unutilized
Comment: 1440 sq. ft., 1-story aluminum frame, needs rehab, most recent use—aces. facility, off-site use only.

Bldg. TT0793
Fort Stewart
Hinesville Co: Liberty GA 31314–
Landholding Agency: Army
Property Number: 219440410
Status: Unutilized
Comment: 1440 sq. ft., 1-story aluminum frame, needs rehab, most recent use—aces. facility, off-site use only.

Hawaii

Bldg. S–275
Fort DeRussy
Honolulu HI 96815–
Landholding Agency: Army
Property Number: 219540014
Status: Unutilized
Comment: 26047 gross sq. ft., some termite damage, most recent use—office/workshop, limitations on use (PL90–110, Sec. 809).

Kansas

Bldg. T–2014, Fort Riley
Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219520112
Status: Unutilized
Comment: 4856 sq. ft., 2-story wood frame, most recent use—admin., presence of asbestos, poor condition.

Bldg. T–2017, Fort Riley
Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219520113
Status: Unutilized
Comment: 3292 sq. ft., 2-story wood frame, most recent use—admin., presence of asbestos, poor condition.

Bldg. T–2019, Fort Riley
Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219520114
Status: Unutilized
Comment: 2353 sq. ft., 1-story wood frame, most recent use—admin., presence of asbestos, poor condition.

Bldg. T–2033, Fort Riley

Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219520115
Status: Unutilized
Comment: 1327 sq. ft., 1-story wood frame, most recent use—admin., presence of asbestos, poor condition.

Bldg. T–2040, Fort Riley
Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219520191
Status: Unutilized
Comment: 3255 sq. ft., 1-story wood frame, most recent use—warehouse, needs rehab, presence of asbestos.

Bldg. 3210, Fort Riley
Ft. Riley KS 66442–
Landholding Agency: Army
Property Number: 219520192
Status: Unutilized
Comment: 190 sq. ft., 1-story, needs rehab, presence of asbestos.

Kentucky

Bldg. 05711, Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410340
Status: Unutilized
Comment: 10,944 sq. ft., 1-story, needs rehab, presence of asbestos, most recent use—maintenance shop.

Bldg. 05713, Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410341
Status: Unutilized
Comment: 10,944 sq. ft., 1-story, needs rehab, presence of asbestos, most recent use—maintenance shop.

Bldg. 5715
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410355
Status: Unutilized
Comment: 10,944 sq. ft.; 1 story, needs rehab, presence of asbestos, most recent use—vehicle maintenance shop; off-site use only.

Bldg. 5717
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410357
Status: Unutilized
Comment: 10,944 sq. ft.; 1 story, needs rehab, presence of asbestos, most recent use—vehicle maintenance shop; off-site use only.

Bldg. 5723
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410359
Status: Unutilized
Comment: 10,944 sq. ft.; 1 story, needs rehab, presence of asbestos, most recent use—vehicle maintenance shop; off-site use only.

Bldg. 5725
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219410361
Status: Unutilized
Comment: 10,944 sq. ft.; 1 story, needs rehab, presence of asbestos, most recent use—vehicle maintenance shop; off-site use only.

Bldg. 2941
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219420369
Status: Unutilized
Comment: 2950 sq. ft., 1-story, presence of asbestos, most recent use—admin. and supply, off-site use only.

Bldg. 232
Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430147
Status: Unutilized
Comment: 8042 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 230
Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430148
Status: Unutilized
Comment: 8042 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 30
Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430151
Status: Unutilized
Comment: 5310 sq. ft., 2-story, needs rehab, presence of asbestos, most recent use—admin., off-site use only.

Bldgs. 250, 252
Fort Campbell
Ft. Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430157
Status: Unutilized
Comment: 5310 sq. ft., 2-story, needs repair, presence of asbestos, most recent use—admin., off-site use only.

Bldg. 2905
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430162
Status: Unutilized
Comment: 2000 sq. ft., 1-story, needs repair, presence of asbestos, most recent use—classroom, off-site use only.

Bldg. 5343
Fort Campbell
Fort Campbell Co: Christian KY 42223–
Landholding Agency: Army
Property Number: 219430173
Status: Unutilized
Comment: 3376 sq. ft., 1-story, needs repair, presence of asbestos, most recent use—maint. shop., off-site use only.

Louisiana

Bldg. 3322, Fort Polk
Texas Avenue
Ft. Polk Co: Vernon Parish LA 71459–
Landholding Agency: Army
Property Number: 219440441
Status: Underutilized
Comment: 480 sq. ft., 1 story, need repairs, most recent use—offices.

Maryland

Bldgs. TMA4, TMA5, TMA8, TMA9
Fort George G. Meade
Ft. Meade Co: Ann Arundel MD 20755–5115
Landholding Agency: Army
Property Number: 219320292
Status: Unutilized
Comment: approx. 800 sq. ft. steel plate, gravel base ammunition storage area, fair condition.

Nevada

U.S. Army Reserve Center
685 East Plumb Lane
Reno Co: Washoe NV 89502–
Landholding Agency: Army
Property Number: 219340180
Status: Unutilized
Comment: 11457 sq. ft. Reserve Center & 2611 sq. ft. vehicle repair shop on 4.29 acres, presence of asbestos, 1-story each, perpetual easement for road right of way 50 ft. from prop.

New Jersey

Bldg. 3305
Armament Research, Dev. & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540002
Status: Underutilized
Comment: 12000 sq. ft., 1 story, most recent use—admin and R&D activities.

Bldg. 1104
Armament Research, Dev. & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540003
Status: Unutilized
Comment: 1320 sq. ft., 2 story, fire/electrical/safety code violations, need repairs, most recent use—family housing.

Bldg. 1105
Armament Research, Dev. & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540004
Status: Unutilized
Comment: 2806 sq. ft., 3 story, fire/electrical/safety code violations, need repairs, most recent use—family housing.

Bldg. 1113
Armament Research, Dev. & Eng. Center
Fort Campbell
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540005
Status: Unutilized
Comment: 1580 sq. ft., 2 story, fire/electrical/safety code violations, need repairs, most recent use—family housing.

Bldg. 1117
Armament Research, Dev. & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540006
Status: Unutilized
Comment: 1784 sq. ft., 2 story, fire/electrical/safety code violations, need repairs, most recent use—family housing.

Bldg. 1118
Armament Research, Dev. & Eng. Center

Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540007
Status: Unutilized
Comment: 648 sq. ft., 1 story, fire/electrical/ safety code violations, need repairs, most recent use—family housing.

Bldg. 1392
Armament Research, Dev. & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219540008
Status: Unutilized
Comment: 1128 sq. ft., 1 story, fire/electrical/ safety code violations, need repairs, most recent use—family housing.

Texas

Bldg. P–2000, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220389
Status: Underutilized
Comment: 49,542 sq. ft., 3-story brick structure, within National Landmark Historic District.

Bldg. P–2001, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220390
Status: Underutilized
Comment: 16,539 sq. ft., 4-story brick structure, within National Landmark Historic District.

Bldg. P–2007, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220391
Status: Underutilized
Comment: 13,058 sq. ft., 3-story brick structure, within National Landmark Historic District.

Bldg. T189, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220402
Status: Underutilized
Comment: 11,949 sq. ft., 4-story brick structure, within National Landmark Historic District, possible lead contamination.

Bldg. P–8249
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219440455
Status: Excess
Comment: 2775 sq. ft., 1-story wood frame, lead paint, off-site removal only, most recent use—family housing.

Bldg. P–151, Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219520116
Status: Unutilized
Comment: 1860 sq. ft., 1-story, presence of lead base paint and asbestos, most recent use—admin., located in Natl Hist. Landmark Dist. and Natl Cons. Dist.

Bldg. T–2656, Fort Sam Houston
2326 Harney Road
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219540071
Status: Excess
Comment: 2040 sq. ft., 1-story concrete frame, off-site removal only, need repairs, most recent use—supply warehouse.

Bldg. T–2732, Fort Sam Houston
2081 Schofield Road
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219540072
Status: Excess
Comment: 8478 sq. ft., 1-story wood/concrete frame, off-site removal only, most recent use—fire station.

Virginia

Bldg. T3004, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310317
Status: Unutilized
Comment: 2350 sq. ft., 1-story wood frame, needs repair, most recent use—clinic.

Bldg. T3022, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310318
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3023, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310319
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3024, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310320
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3026, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310321
Status: Underutilized
Comment: 3550 sq. ft., 1-story wood frame, needs repair, most recent use—dining room.

Bldg. T3025, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310322
Status: Underutilized
Comment: 2950 sq. ft., 1-story wood frame, needs repair, most recent use—dining room.

Bldg. T3040, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310323
Status: Underutilized
Comment: 2950 sq. ft., 1-story wood frame, needs repair, most recent use—dining room.

Bldg. T3041, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310324
Status: Underutilized
Comment: 2950 sq. ft., 1-story wood frame, needs repair, most recent use—dining room.

Bldg. T3049, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310325
Status: Underutilized
Comment: 2950 sq. ft., 1-story wood frame, needs repair, most recent use—dining room.

Bldg. T3050, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310326
Status: Unutilized
Comment: 2950 sq. ft., 1-story wood frame, needs repair, most recent use—dining room.

Bldg. T3029, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310327
Status: Underutilized
Comment: 5310 sq. ft., 1-story wood frame, needs repair, most recent use—barracks.

Bldg. T3030, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310328
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3037, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310329
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3038, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310330
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3039, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310331
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3042, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310332
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3043, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310333
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3044, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310334
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3045, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army

Property Number: 219310335
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3046, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310336
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3047, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310337
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3048, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310338
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3051, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310339
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3052, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310340
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3053, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310341
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3054, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310342
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3027, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310343
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3028, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310344
Status: Underutilized
Comment: 5310 sq. ft., 2-story wood frame, needs repair, most recent use—barracks.

Bldg. T3031, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310345
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3032, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310346
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3033, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310347
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3034, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310348
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3035, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310349
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3036, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310350
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3057, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310351
Status: Underutilized
Comment: 2987 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. T3055, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310352
Status: Underutilized
Comment: 2488 sq. ft., 1-story wood frame, needs repair, most recent use—admin./supply.

Bldg. TT3001, Fort Pickett
Blackstone Co: Nottoway VA 23824–
Landholding Agency: Army
Property Number: 219310353
Status: Underutilized
Comment: 3302 sq. ft., 1-story wood frame, most recent use—chapel.

Quarters 19201 & 19209
Fort Lee
Fort Lee Co: Prince George VA 23801–
Landholding Agency: Army
Property Number: 219410365
Status: Unutilized
Comment: 8370 sq. ft. each; 2 story family quarters with 6 units each; off-site use only.

Quarters 19202, 19204, 19206, 19208, 19211 & 19213
Fort Lee
Fort Lee Co: Prince George VA 23801–
Landholding Agency: Army
Property Number: 219410366
Status: Unutilized
Comment: 8404 sq. ft. each; 2 story family quarters with 6 units each; off-site use only.

Quarters 19203, 19205, 19207
Fort Lee
Fort Lee Co: Prince George VA 23801–
Landholding Agency: Army
Property Number: 219410367
Status: Unutilized
Comment: 9416 sq. ft. each; 2 story family quarters with 8 units each; off-site use only.

Quarters 19210, 19214
Fort Lee
Fort Lee Co: Prince George VA 23801–
Landholding Agency: Army
Property Number: 219410368
Status: Unutilized
Comment: 7084 sq. ft. each; 2 story family quarters with 6 units each; off-site use only.

Quarter 19212
Fort Lee
Fort Lee Co: Prince George VA 23801–
Landholding Agency: Army
Property Number: 219410369
Status: Unutilized
Comment: 14,098 sq. ft.; 2 story family quarters with 12 units; offsite use only.

Land (by State)

New Jersey

Land—Camp Kilmer
Plainfield Avenue
Edison Co: Middlesex NJ 08817–2487
Landholding Agency: Army
Property Number: 219230358
Status: Underutilized
Comment: approx. 10 acres in the southwest corner of site, most recent use—reserve training, wooded area.

Suitable/To Be Excessed

Buildings (by State)

Maryland

Bldg. 101
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery MD 20910–
Landholding Agency: Army
Property Number: 219012678
Status: Underutilized
Comment: 18438 sq. ft.; needs rehab; possible asbestos; building listed on National Historic Register.

Bldg. 104
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery MD 20910–
Landholding Agency: Army
Property Number: 219012679
Status: Underutilized
Comment: 12495 sq. ft.; needs rehab; possible asbestos; building listed on National Historic Register.

Bldg. 107
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery MD 20910–

Landholding Agency: Army
Property Number: 219012680
Status: Unutilized
Comment: 4107 sq. ft.; possible structural deficiencies; possible asbestos; historic property.

Bldg. 120
Walter Reed Army Medical Center
Forest Glen Section
Silver Spring Co: Montgomery MD 20910–
Landholding Agency: Army
Property Number: 219012681
Status: Underutilized
Comment: 2442 sq. ft.; possible structural deficiencies; possible asbestos; historic property.

Land (by State)

Texas

Land Saginaw Army Aircraft Plt
Saginaw Co: Tarrant TX 76070–
Landholding Agency: Army
Property Number: 219014814
Status: Unutilized
Comment: 43.08 acres; includes buildings/structures/parking and air strip.

Unsuitable Properties

Buildings (by State)

Alabama

122 Bldgs.
Redstone Arsenal
Redstone Arsenal Co: Madison AL 35898–
Landholding Agency: Army
Property Number: 219014000, 219014009, 219014012, 219014015–219014051, 219014057, 219014060, 219014292, 219110109, 219120247–219120250, 219230190, 219330001–219330002, 219430266–219430290, 219440078–219440082, 219520032, 219530009–219530048
Status: Unutilized
Reason: Secured Area (Some are extensively deteriorated.)

51 Bldgs., Fort Rucker
Ft. Rucker Co: Dale AL 36362
Landholding Agency: Army
Property Number: 219220343–219220344, 219310016, 219320001, 219330003–219330010, 219340116, 219340118, 219340120, 219340122–219340125, 219410016, 219410022–219410023, 219430260–219430264, 219440083–219440084, 219440088, 219440094–219440095, 219440097, 219510095–219510096, 219520050, 219520057–219520058, 219530006–219530008
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 25203, 25205–25207, 25209, 25501, 25503, 25505, 25507, 25510, 29101, 29103–29109
Fort Rucker
Stagefield Areas
Ft. Rucker Co: Dale AL 36362–5138
Landholding Agency: Army
Property Number: 219410020–219410021, 219410024
Status: Unutilized
Reason: Secured area.

27 Bldgs.
Phosphate Development Works
Muscle Shoals Co: Colbert AL 35660–1010
Landholding Agency: Army
Property Number: 219220789–219220815
Status: Unutilized
Reason: Extensive deterioration.

10 Bldgs., Fort McClellan
Ft. McClellan Co: Calhoun AL 36205–5000
Landholding Agency: Army
Property Number: 219130019, 219440098–219440099, 219440102–219440103, 219440105–219440108, 219440111
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 402–C
Alabama Army Ammunition Plant
Childersburg Co: Talladega AL 35044
Landholding Agency: Army
Property Number: 219420124
Status: Unutilized
Reason: Secured Area.

Alaska

17 Bldgs.
Fort Greely
Ft. Greely AK 99790–
Landholding Agency: Army
Property Number: 219210124–219210125, 219220320–219220332, 219520064
Status: Unutilized
Reason: Extensive deterioration.

6 Bldgs., Fort Wainwright
Ft. Wainwright Co: Fairbanks AK 99505
Landholding Agency: Army
Property Number: 219230183–219230184, 219410027, 219530001–219530003
Status: Unutilized
Reason: Extensive deterioration (Some are in a secured area.)

Bldg. 1144, Fort Wainwright
Ft. Wainwright Co: Fairbanks/North AK 99703
Landholding Agency: Army
Property Number: 219240273
Status: Unutilized
Reason: Secured Area Within airport runway clear zone.

Bldgs. 5001, 5002, Fort Wainwright
Ft. Wainwright Co: Fairbanks/North AK 99703
Landholding Agency: Army
Property Number: 219240274–219240275
Status: Unutilized
Reason: Secured area Floodway.

Bldg. 1501, Fort Greely
Ft. Greely AK 99505
Landholding Agency: Army
Property Number: 219240327
Status: Unutilized
Reason: Secured Area.

Sullivan Roadhouse, Ft Greely
Ft. Greely AK
Landholding Agency: Army
Property Number: 219430291
Status: Unutilized
Reason: Extensive deterioration.

Arizona

32 Bldgs.
Navajo Depot Activity
Bellemont Co: Coconino AZ 86015–
Location: 12 miles west of Flagstaff, Arizona on I–40
Landholding Agency: Army
Property Number: 219014560–219014591
Status: Underutilized
Reason: Secured Area.

10 properties: 753 earth covered igloos; above ground standards magazines
Navajo Depot Activity
Bellemont Co: Coconino AZ 86015–
Location: 12 miles west of Flagstaff, Arizona on I–40.
Landholding Agency: Army
Property Number: 219014592–219014601
Status: Underutilized
Reason: Secured Area.

9 Bldgs.
Navajo Depot Activity
Bellemont Co: Coconino AZ 86015–5000
Location: 12 miles west of Flagstaff on I–40
Landholding Agency: Army
Property Number: 219030273–219030274, 219120175–219120181
Status: Unutilized
Reason: Secured Area.

Bldgs. 84001, 68054
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Landholding Agency: Army
Property Number: 219210017, 219430315
Status: Excess
Reason: Extensive deterioration.

Bldgs. S–2085, S–6078
Yuma Proving Ground
Yuma Co: Yuma/LaPaz AZ 85365–9104
Landholding Agency: Army
Property Number: 219330020–219330021
Status: Unutilized
Reason: Secured area.

Bldg. T–231
Yuma Proving Ground
Yuma Co: LaPaz AZ 85365–9104
Landholding Agency: Army
Property Number: 219510093
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 3007
Yuma Proving Ground
Laguana Army Airfield
Yuma Co: LaPaz AZ 85365–9104
Landholding Agency: Army
Property Number: 219510094
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Arkansas

Fort Smith USAR Center
Fort Smith
1218 South A Street
Fort Smith Co: Sebastian AR 72901–
Landholding Agency: Army
Property Number: 219014928
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Army Reserve Center
Hwy 79 North
Camden Co: Calhoun AR 71701–3415
Landholding Agency: Army
Property Number: 219220345
Status: Unutilized
Reason: Extensive deterioration.

6 Bldgs.
Pine Bluff Arsenal
Pine Bluff Co: Jefferson AR 71602–9500
Landholding Agency: Army
Property Number: 219420138–219420142, 219440077
Status: Unutilized
Reason: Secured Area Extensive deterioration.

California

Bldgs. P–177, P–178, 325, S–308, S–308A, T–308B
Fort Hunter Liggett
Jolon Co: Monterey CA 93928–
Landholding Agency: Army
Property Number: 219012414–219012415, 219012600, 219240284–219240285, 219240287
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material (Some are in a secured area.)

Bldg. 18
Riverbank Army Ammunition Plant
5300 Claus Road
Riverbank Co: Stanislaus CA 95367–
Landholding Agency: Army
Property Number: 219012554
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Secured Area.

11 Bldgs, Nos. 2–8, 156, 1, 120, 181
Riverbank Army Ammunition Plant
Riverbank Co: Stanislaus CA 95367–
Landholding Agency: Army
Property Number: 219013582–219013588, 219013590, 219240444–219240446
Status: Underutilized
Reason: Secured Area.

9 Bldgs.
Oakland Army Base
Oakland Co: Alameda CA 94626–5000
Landholding Agency: Army
Property Number: 219013903–219013906, 219120051, 219340008–219340011
Status: Unutilized
Reason: Secured Area (Some are extensively deteriorated.)

Bldgs. S–108, S–290
Sharpe Army Depot
Lathrop Co: San Joaquin CA 95331–
Landholding Agency: Army
Property Number: 219014290, 219230179
Status: Underutilized
Reason: Secured Area.

Bldg. S–184
Fort Hunter Liggett
Ft. Hunter Liggett Co: Monterey CA 93928–
Landholding Agency: Army
Property Number: 219014602
Status: Underutilized
Reason: Secured Area.

12 Bldgs.
Sierra Army Depot
Herlong Co: Lassen CA 96113–
Landholding Agency: Army
Property Number: 219014713–219014717, 219014719–219014721, 219230181, 219320012
Status: Unutilized
Reason: Secured Area.

Bldg. P–88
Sierra Army Depot
Road Oil Storage
Herlong Co: Lassen CA 96113–
Landholding Agency: Army
Property Number: 219014707
Status: Unutilized
Reason: Oil Storage Tank.

Bldgs. 173, 177
Roth Road—Sharpe Army Depot
Lathrop Co: San Joaquin CA
Landholding Agency: Army
Property Number: 219014940–219014941
Status: Unutilized
Reason: Secured Area.

Bldgs. 13, 171, 178 Riverbank Ammun Plant
5300 Claus Road
Riverbank Co: Stanislaus CA 95367–
Landholding Agency: Army
Property Number: 219120162–219120164
Status: Underutilized
Reason: Secured Area.

Bldg. S–521, Sharpe Site
Lathrop Co: San Joaquin CA 95331–
Landholding Agency: Army
Property Number: 219240155
Status: Unutilized
Reason: Secured Area.

Bldgs. T–187, 403 Fort Hunter Liggett
Ft. Hunter Liggett Co: Monterey CA 93928
Landholding Agency: Army
Property Number: 219240321, 219440184
Status: Unutilized
Reason: Secured Area Extensive deterioration.

Bldgs. 36, 257, Tracy Facility
Tracy Co: San Joaquin CA 95376
Landholding Agency: Army
Property Number: 219330023, 219330025
Status: Unutilized
Reason: Secured Area.

10 Bldgs., Fort Irwin
Ft. Irwin Co: San Bernardino CA 92310
Landholding Agency: Army
Property Number: 219330026–219330035
Status: Unutilized
Reason: Secured Area Extensive Deterioration.

22 Bldgs.
DDDRW Sharpe Facility
Tracy Co: San Joaquin CA 95331
Landholding Agency: Army
Property Number: 219430017–219430039, 219430317
Status: Unutilized
Reason: Secured Area.

US Army Reserve Center
Rio Vista Co: Sonoma CA 94571
Landholding Agency: Army
Property Number: 219430316
Status: Unutilized
Reason: Floodway.

6 Buildings
Oakland Army Base
Oakland Co: Alameda CA 94626
Location: Include: 90, 790, 792, 807, 829, 916
Landholding Agency: Army
Property Number: 219510097
Status: Unutilized
Reason: Secured Area Within 2000 ft. of flammable or explosive material.

Bldg. 43; Bunkers 41, 42, 45, 46, 47
Santa Rosa High Frequency Radio Station
Santa Rosa CA
Landholding Agency: Army
Property Number: 219520036
Status: Excess
Reason: Secured Area.

Bldgs. 29, 39, 73, 154, 155, 193, 204, 257
Los Alamitos Co: Orange CA 90720–5001
Landholding Agency: Army
Property Number: 219520040
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 1103, 1131
Parks Reserve Forces Training Area
Dublin Co: Alameda CA 94568–5201
Landholding Agency: Army
Property Number: 219520056
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 144, 429–430
National Training Center, Fort Irwin
Ft. Irwin Co: San Bernardino CA 92310
Landholding Agency: Army
Property Number: 219530066
Status: Unutilized
Reason: Secured Area, Extensive deterioration.

19 Bldgs.
National Training Center, Fort Irwin
Ft. Irwin Co: San Bernardino CA 92310
Location: #556, 558, 562, 564, 578, 581, 584, 586, 609, 474, 600, 410, 427, 485, 483, 579, 583, 570, 568
Landholding Agency: Army
Property Number: 219530067
Status: Unutilized
Reason: Secured Area, Extensive deterioration.

Colorado

Bldgs. T–317, T–412, 431, 433
Rocky Mountain Arsenal
Commerce Co: Adams CO 80022–2180
Landholding Agency: Army
Property Number: 219320013–219320016
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration.

Georgia

Fort Stewart
Sewage Treatment Plant
Ft. Stewart Co: Hinesville GA 31314–
Landholding Agency: Army
Property Number: 219013922
Status: Unutilized
Reason: Sewage treatment.

Facility 12304
Fort Gordon
Augusta Co. Richmond GA 30905–
Location: Located off Lane Avenue
Landholding Agency: Army
Property Number: 219014787
Status: Unutilized
Reason: Wheeled vehicle grease/inspection rack.

114 Bldgs
Fort Gordon
Augusta Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219220269, 219220279, 219220281, 219220293, 219320020, 219320026, 219330050–219330057, 219330060, 219410038–219410131, 219420144–219420145, 219440199, 219520044, 219520067
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 11726–11727
Fort Gordon
Augusta Co: Richmond GA 30905–
Landholding Agency: Army
Property Number: 219210138–219210139
Status: Unutilized
Reason: Secured Area.

4 Bldgs., Fort Benning
Ft. Benning Co: Muscogee GA 31905
Landholding Agency: Army
Property Number: 219220334–219220337

Status: Unutilized
Reason: Detached lavatory.

38 Bldgs., Fort Benning
Ft. Benning Co: Muscogee GA 31905
Landholding Agency: Army
Property Number: 219220742, 219420150, 219530068–219530069
Status: Unutilized
Reason: Extensive deterioration.

7 Bldgs.
Fort Gillem
Forest Park Co: Clayton GA 30050
Landholding Agency: Army
Property Number: 219310091, 219310093–219310094, 219310099, 219310107, 219320030, 219320033
Status: Unutilized
Reason: Extensive deterioration.

4 Bldgs., Fort Stewart
Hinesville Co: Liberty GA 31314
Landholding Agency: Army
Property Number: 219420155, 219420162, 219420168, 219520045
Status: Unutilized
Reason: Extensive deterioration.

14 Bldgs., Hunter Army Airfield
Savanna Co: Chatham GA 31409
Landholding Agency: Army
Property Number: 219420152–219420153, 219430318–219430319, 219530070–219530071
Status: Unutilized
Reason: Extensive deterioration.

Bldg. P–8063, Hunter Army Airfield
Savannah Co: Chatham GA 31409
Landholding Agency: Army
Property Number: 219520027
Status: Excess
Reason: Latrine.

Bldgs. T–707, T–709, T–713, T–714, T–715, T–716, T–717, T–914, T–922
Hunter Army Airfield
Savannah Co: Chatham GA 31409
Landholding Agency: Army
Property Number: 219520041
Status: Excess
Reason: Extensive deterioration.

Hawaii

PU–01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11
Schofield Barracks
Kolekole Pass Road
Wahiawa Co: Wahiawa HI 96786–
Landholding Agency: Army
Property Number: 219014836–219014837
Status: Unutilized
Reason: Secured Area.

8 Bldgs.
Schofield Barracks
Wahiawa Co: Wahiawa HI 96786–
Landholding Agency: Army
Property Number: 219030361, 219510090, 219520038
Status: Unutilized
Reason: Secured Area.

11 Bldgs., Fort Shafter
Honolulu Co: Honolulu HI 96819
Landholding Agency: Army
Property Number: 219320035, 219510087, 219520046, 219530072–219530073
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 754–C, P–1519 A/B, T–3002 Schofield Barracks
Wahiawa Co: Wahiawa HI 96786
Landholding Agency: Army
Property Number: 219320034, 219420154, 219520063
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 572, S–822
Wheeler Army Airfield
Wahiawa HI 96857
Landholding Agency: Army
Property Number: 219510088, 219520039
Status: Unutilized
Reason: Secured Area.

Bldgs. P–01506, S01507, P–01508
Wheeler Army Airfield
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 219520003
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. T–2232
Schofield Barracks, 8th Street
Wahiawa HI 96786
Landholding Agency: Army
Property Number: 219520065
Status: Unutilized
Reason: Not accessible by road.

Illinois

609 Bldgs. and Groups
Joliet Army Ammunition Plant
Joliet Co: Will IL 60436–
Landholding Agency: Army
Property Number: 219010153–219010317, 219010319–219010407, 219010409–219010413, 219010415–219010439, 219011750–219011879, 219011881–219011908, 219012331, 219013076–219013138, 219014722–219014781, 219030277–219030278, 219040354, 219140441–219140446, 219210146, 219240457–219240465, 219330062–219330094
Status: Unutilized
Reason: Secured Area; many within 2000 ft. of flammable or explosive materials; some within floodway.

Bldgs. 58, 59 and 72, 69, 64, 105
Rock Island Arsenal
Rock Island Co: Rock Island IL 61299–5000
Landholding Agency: Army
Property Number: 219110104–219110108
Status: Unutilized
Reason: Secured Area.

Bldgs. 133, Rock Island Arsenal
Gillespie Avenue
Rock Island Co: Rock Island IL 61299–
Landholding Agency: Army
Property Number: 219210100
Status: Underutilized
Reason: Extensive deterioration.

13 Bldgs. Savanna Army Depot Activity
Savanna Co: Carroll IL 61074
Landholding Agency: Army
Property Number: 219230126–219230127, 219430326–219430335, 219430397
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 103, 114, 417, 110
Charles Melvin Price Support Center
Granite City Co: Madison IL 62040
Landholding Agency: Army
Property Number: 219420182–219420184, 219510008
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Indiana

263 Bldgs.
Indiana Army Ammunition Plant (INAAP)
Charlestown Co: Clark IN 47111–
Landholding Agency: Army
Property Number: 219010913–219010920, 219010924–219010936,219010952, 219010955, 219010957, 219010959, 219010960, 219010962–219010964, 219010966–219010967, 219010969–219010970, 219011449, 219011454, 219011456–219011457, 219011459–219011464, 219013764, 219013848, 219014608–219014653, 219014655–219014661, 219014663–219014683, 219030315, 219120168–219120171, 219140425–219140440, 219210152–219210155, 219230034–219230037, 219320036–219320111, 219420170–219420181, 219440159–219440163
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material (Most are within a secured area.)

172 Bldgs.
Newport Army Ammunition Plant
Newport Co: Vermillion IN 47966–
Landholding Agency: Army
Property Number: 219011584, 219011586–219011587, 219011589–219011590, 219011592–219011627, 219011629–219011636, 219011638–219011641, 219210149–219210151, 219220220, 219230032–219230033, 219430336–219430338, 219520033, 219520042, 219530075–219530097
Status: Unutilized
Reason: Secured Area (Some are extensively deteriorated).

2 Bldgs.
Atterbury Reserve Forces Training Area
Edinburgh Co: Johnson IN 46124–1096
Landholding Agency: Army
Property Number: 219230030–219230031
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 2635, Indiana Army Ammunition Plant
Charlestown Co: Clark IN 47111
Landholding Agency: Army
Property Number: 219240322
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Iowa

95 Bldgs.
Iowa Army Ammunition Plant
Middletown Co: Des Moines IA 52638–
Landholding Agency: Army
Property Number: 219012605–219012607, 219012609, 219012611, 219012613, 219012615, 219012620, 219012622, 219012624, 219013706–219013738, 219120172–219120174, 219440112–219440158, 219510089, 219520002, 219520070
Status: Unutilized
Reason: (Many are in a Secured Area) (Most are within 2000 ft. of flammable or explosive material).

30 Bldgs., Iowa Army Ammunition Plant
Middletown Co: Des Moines IA 52638

Landholding Agency: Army
Property Number: 219230005–219230039, 219310017, 219330061, 219340091, 219520053, 219520151
Status: Unutilized
Reason: Extensive deterioration.

Kansas

37 Bldgs.
Kansas Army Ammunition Plant
Production Area
Parsons Co: Labette KS 67357–
Landholding Agency: Army
Property Number: 219011909–219011945
Status: Unutilized
Reason: Secured Area (Most are within 2000 ft. of flammable or explosive material).

222 Bldgs.
Sunflower Army Ammunition Plant
35425 W. 103rd Street
DeSoto Co: Johnson KS 66018–
Landholding Agency: Army
Property Number: 219040039, 219040045, 219040048–219040051, 219040053, 219040055, 219040063–219040067, 219040072–219040080, 219040086–219040099, 219040102, 219040111–219040112, 219040118–219040119, 219040121–219040124, 219040126, 219040128–219040133, 219040136–219040137, 219040139–219040140, 219040143, 219040149–219040154, 219040156, 219040160–219040165, 219040168–219040170, 219040180, 219040182–219040185, 219040190–219040191, 219040202, 219040205–219040207, 219040208, 219040210–219040221, 219040234–219040239, 219040241–219040254, 219040256–219040257, 219040260, 219040262–219040267, 219040270–219040279, 219040282–219040319, 219040321–219040323, 219040325–219040327, 219040330–219040335, 219040349, 219040353, 219110073, 219140569–219140577, 219140580–219140591, 219140594, 219140599–219140601, 219140606–219140612, 219420185–219420187
Status: Unutilized
Reason: Within 2000 ft of flammable or explosive material Floodway; Secured Area.

21 Bldgs.
Sunflower Army Ammunition Plant
35425 W. 103rd Street
DeSoto Co: Johnson KS 66018–
Landholding Agency: Army
Property Number: 219040007–219040008, 219040010–219040012, 219040014–219040027, 219040030–219040031
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Floodway.

64 Bldgs.
Fort Riley
Ft. Riley Co: Geary KS 66442–
Landholding Agency: Army
Property Number: 219240080, 219430040, 219440164–219440183, 219520043, 219530098–219530125
Status: Unutilized
Reason: Extensive deterioration.

11 Latrines
Sunflower Army Ammunition Plant
35425 West 103rd
DeSoto Co: Johnson KS 66018–
Landholding Agency: Army
Property Number: 219140578–219140579, 219140593, 219140595–219140598, 219140602–219140605
Status: Unutilized
Reason: Detached Latrine.

75 Bldgs., Sunflower Army Ammunition Plant
DeSoto Co: Johnson KS 66018–
Landholding Agency: Army
Property Number: 219240333–219240394, 219240402, 219240410–219240416, 219240420, 219240434–219240437
Status: Unutilized
Reason: Secured Area; Within 2000 ft. of flammable or explosive material. Extensive deterioration.

Kentucky

Bldg. 126
Lexington-Blue Grass Army Depot
Lexington Co: Fayette KY 40511–
Location: 12 miles northeast of Lexington, Kentucky.
Landholding Agency: Army
Property Number: 219011661
Status: Unutilized
Reason: Secured Area; Sewage treatment facility.

Bldg. 12
Lexington-Blue Grass Army Depot
Lexington Co: Fayette KY 40511–
Location: 12 miles Northeast of Lexington Kentucky.
Landholding Agency: Army
Property Number: 219011663
Status: Unutilized
Reason: Industrial waste treatment plant.

5 Bldgs., Fort Knox
Ft. Knox Co: Hardin KY 40121–
Landholding Agency: Army
Property Number: 219320113–219320115, 219320132, 219410146
Status: Unutilized
Reason: Extensive deterioration.

45 Bldgs., Fort Campbell
Ft. Campbell Co: Christian KY 42223
Landholding Agency: Army
Property Number: 219340247, 219430047–219430058, 219440264, 219440273, 219530126
Status: Unutilized
Reason: Extensive deterioration (Some are in a secured area).

22 Buildings, Fort Knox
Ft. Knox Co: Hardin KY 40121
Location: Include: 9253, 9255, 9257, 9262, 9330, 9345, 9365, 9366, 9458, 9459, 9471, 9472, 9601, 9602, 9609, 9610, 9612, 9613, 9621–9642
Landholding Agency: Army
Property Number: 219510078
Status: Unutilized
Reason: Extensive deterioration (Some are detached latrines).

77 Bldgs.
Fort Knox
Ft. Knox Co: Hardin KY 40121
Landholding Agency: Army
Property Number: 219510079–219410084
Status: Unutilized
Reason: Extensive deterioration.

Louisiana

42 Bldgs.
Louisiana Army Ammunition Plant
Doylin Co: Webster LA 71023–
Landholding Agency: Army
Property Number: 219011668–219011670, 219011700, 219011714–219011716, 219011735–219011737, 219012112, 219013571–219013572, 219013863–219013869, 219110124, 219110127, 219110131, 219110135–219110136, 219120290, 219240137–219240150, 219420330–219420332
Status: Unutilized
Reason: Secured Area (Most are within 2000 ft. of flammable or explosive material) (Some are extensively deteriorated).

Staff Residences
Louisiana Army Ammunition Plant
Doylin Co: Webster LA 71023–
Landholding Agency: Army
Property Number: 219120284–219120286
Status: Excess
Reason: Secured Area.

6 Bldgs., Fort Polk
Ft. Polk Co: Vernon Parish LA 71459–7100
Landholding Agency: Army
Property Number: 219320282, 219340107–219340108, 219430339–219430340, 219520059
Status: Unutilized
Reason: Extensive deterioration.

Maryland

77 Bldgs.
Aberdeen Proving Ground
Averdeen City Co: Harford MD 21005–5001
Landholding Agency: Army
Property Number: 219011406–219011417, 219012608, 219012610, 219012612, 219012614, 219012616–219012617, 219012619, 219012623, 219012625–219012629, 219012631, 219012633–219012635, 219012637–219012642, 219012645–219012651, 219012655–219012664, 219013773, 219014711–219014712, 219030316, 219110140, 219240329, 219520060, 219530127–219530133
Status: Unutilized
Reason: Most are in a secured area. (Some are within 2000 ft. of flammable or explosive material) (Some are in a floodway) (Some are extensively deteriorated).

Bldg. 1958
Fort George G. Meade
Fort Meade Co: Anne Arundel MD 20755–
Landholding Agency: Army
Property Number: 219014789
Status: Unutilized
Reason: Secured Area.

Bldg. 10401
Aberdeen Proving Ground
Aberdeen Area
Harford Co: Harford MD 21005–5001
Landholding Agency: Army
Property Number: 219110138
Status: Unutilized
Reason: Sewage treatment plant.

Bldg. 10402
Aberdeen Proving Ground
Aberdeen Area
Aberdeen City Co: Harford MD 21005–5001
Landholding Agency: Army
Property Number: 219110139
Status: Unutilized
Reason: Sewage pumping station.

39 Bldgs. Ft. George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–
Landholding Agency: Army
Property Number: 219130059, 219140458, 21914060–219140641, 219140465, 219140467, 219140510, 219210123, 219220142, 219220146–219220147, 219220153, 219220171–219220173, 219220190–219220192, 219220195–219220197, 219240121, 219310022, 219310026–219310027, 219310031–219310033, 219320144, 219330114–219330118, 219340013, 219420333–219420334, 219530167–219530168
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 132, 135 Fort Ritchie
Ft. Ritchie Co: Washington MD 21719–5010
Landholding Agency: Army
Property Number: 219330109–219330110
Status: Underutilized
Reason: Secured Area.

Bldg. T–116, Fort Detrick
Frederick Co: Frederick MD 21762–5000
Landholding Agency: Army
Property Number: 219340012
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4900, Aberdeen Proving Ground
Co: Harford MD 21005–5001
Landholding Agency: Army
Property Number: 219230089
Status: Unutilized
Reason: Within airport runway clear zone.

Massachusetts

Material Technology Lab
405 Arsenal Street
Watertown Co: Middlesex MA 02132–
Landholding Agency: Army
Property Number: 219120161
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material Floodway; Secured Area.

Bldgs. T–102, T–110, T–111, Hudson Family Hsg
Natick RD&E Center
Bruen Road
Hudson Co: Middlesex MA 01749
Landholding Agency: Army
Property Number: 219220105–219220107
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 3462, Camp Edwards
Massachusetts Military Reservation
Bourne Co: Barnstable MA 024620–5003
Landholding Agency: Army
Property Number: 219230095
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldgs. 3596, 1209–1211 Camp Edwards
Massachusetts Military Reservation
Bourne Co: Barnstable MA 02462–5003
Landholding Agency: Army
Property Number: 219230096, 219310018–219310020
Status: Unutilized
Reason: Secured Area.

Michigan

Bldgs. 602, 604
US Army Garrison Selfridge
Mt. Clemens Co: Macomb MI 48043–
Landholding Agency: Army
Property Number 219012355–219012356
Status: Unutilized
Reason: Within airport runway clear zone Floodway; Secured Area.

Detroit Arsenal Tank Plant
28251 Van Dyke Avenue
Warren Co: Macomb MI 48090–
Landholding Agency: Army
Property Number: 219014605
Status: Underutilized
Reason: Secured Area.

Bldgs. 5755–5756
Newport Weekend Training Site
Carleton Co: Monroe MI 48166
Landholding Agency: Army
Property Number: 219310060–219310061
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

25 Bldgs.
Fort Custer Training Center
2501 26th Street
Augusta Co: Kalamazoo MI 49102–9205
Landholding Agency: Army
Property Number: 219014947–219014963, 219140447–219140454
Status: Unutilized
Reason: Secured Area.

Minnesota

169 Bldgs.
Twin Cities Army Ammunition Plant
New Brighton Co: Ramsey MN 55112–
Landholding Agency: Army
Property Number: 219120165–219120166, 219210014–219210015, 219220227–219220235, 219240328, 219310055–219310056, 219320145–219320156, 219330096–219330108, 219340015, 219410159–219410189, 219420195–219420284, 219430059–219430064
Status: Unutilized
Reason: Secured Area (Most are within 2000 ft. of flammable or explosive material.) (Some are extensively deteriorated).

Mississippi

Bldgs. 8301, 8303–8305, 9158
Mississippi Army Ammunition Plant
Stennis Space Center Co: Hancock MS 39529–7000
Landholding Agency: Army
Property Number: 219040438, 219040442
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Missouri

Lake City Army Ammo. Plant
59, 59A, 59C, 59B, 18, 94, 149, T201, 6A, 6C, 6D, 6E, 6F
Independence Co: Jackson MO 64050–
Landholding Agency: Army
Property Number: 219013666–219013669, 219530134–219530138
Status: Unutilized
Reason: Secured Area (Some are with 2000 ft. of flammable or explosive material).

Bldg #1, 2, 3
St. Louis Army Ammunition Plant
4800 Goodfellow Blvd.
St. Louis Co: St. Louis MO 63120–1798
Landholding Agency: Army
Property Number: 219120067–219120069
Status: Unutilized
Reason: Secured Area.

13 Bldgs.
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Landholding Agency: Army
Property Number: 219140422–219140423, 219430066, 219430069–219430078
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material.

Nevada

7 Bldgs.
Hawthorne Army Ammunition Plant
Hawthorne CO: Mineral NV 89415–
Landholding Agency: Army
Property Number: 219011953, 219011955, 219012061–219012062, 219012106, 219013614, 219230090
Status: Unutilized
Reason: Secured Area.

Bldgs. 396
Hawthorne Army Ammunition Plant
Bachelor Enlisted Qtrs W/Dining Facilities
Hawthorne Co: Mineral NV 89415–
Location: East side of Decatur Street-North of Maine Avenue
Landholding Agency: Army
Property Number: 219011997
Status: Unutilized
Reason: Within airport runway clear zone; Secured Area.

51 Bldgs.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Landholding Agency: Army
Property Number: 219012009, 219012013, 219012021, 219012044, 219013615–219013651, 219013653–219013656, 219013658–219013661, 219013663, 219013665
Status: Underutilized
Reason: Secured Area (Some within airport runway clear zone; many within 2000 ft. of flammable or explosive material).

62 Concrete Explo. Mag. Stor.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Location: North Mag. Area
Landholding Agency: Army
Property Number: 219120150
Status: Unutilized
Reason: Secured Area.

259 Concrete Explo. Mag. Stor.
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Location: South & Central Mag. Areas
Landholding Agency: Army
Property Number: 219120151
Status: Unutilized
Reason: Secured Area.

Facility No. 00A38
Hawthorne Army Ammunition Plant
Hawthorne Co: Mineral NV 89415–
Landholding Agency: Army
Property Number: 219330119
Status: Unutilized
Reason: Extensive deterioration.

New Jersey

216 Bldgs.
Armament Res. Dev. & Eng. Ctr.
Picatinny Arsenal Co: Morris NJ 07806–5000
Location: Route 15 north
Landholding Agency: Army

Property Number: 219010440–219010474, 219010476, 219010478, 219010639–219010667, 219010669–219010721, 219012423–219012424, 219012426–219012428, 219012430–219012431, 219012433–219012466, 219012469–219012472, 219012474–219012475, 219012756–219012760, 219012763–219012767, 219013787, 219014306–219014307, 219014311, 219014313–219014321, 219030269, 219140617, 219230118–219230125, 219240315, 219420001–219420008, 219510002–219510007
Status: Excess
Reason: Secured Area (Most are within 2000 ft. of flammable or explosive material). (Some are extensively deteriorated) (Some are in a floodway).

51 Bldgs.
Fort Monmouth
Wall Co: Monmouth NJ 07719–
Landholding Agency: Army
Property Number: 219012829–219012833, 219012837, 219012841–219012842, 219013786, 219230177, 219320157, 219330129–219330140, 219420335, 219440201–219440211, 219530139–219530141
Status: Unutilized
Reason: Secured Area (Some are extensively deteriorated) (Some are in a floodway).

13 Bldgs., Military Ocean Terminal
Bayonne Co: Hudson NJ 07002–
Landholding Agency: Army
Property Number: 219013890–219013896, 219330141–219330143, 219430001, 219440200, 219520149
Status: Unutilized
Reason: Floodway; Secured Area.

Structure 403B
Armament Research, Dev. & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219510001
Status: Unutilized
Reason: Drop Tower.

9 Bldgs.
Armament Rsch., Dev., & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219530142–219530151
Status: Unutilized
Reason: Extensive deterioration (Most are in a secured area).

New Mexico

8 Bldgs.
White Sands Missile Range
White Sands Co: Dona Ana NM 88802–
Landholding Agency: Army
Property Number: 219330144–219330147, 219430126–219430127, 219530153–219530154
Status: Unutilized
Reason: Extensive deterioration.

New York

7 Bldgs., Fort Totten
Bayside Co: Queens NY 11357–
Landholding Agency: Army
Property Number: 219210130–219210131, 219430082–219430086
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 110, 143, 2084, 2105, 2110
Seneca Army Depot
Romulus Co: Seneca NY 14541–5001
Landholding Agency: Army
Property Number: 219240439, 219240440–219240443
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldg. 124
U.S. Military Academy
West Point Co: Orange NY 10996–
Landholding Agency: Army
Property Number: 219330148
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 3008, Stewart Gardens
Stewart Army Subpost
New Windsor Co: Orange NY 12553–
Landholding Agency: Army
Property Number: 219420285
Status: Unutilized
Reason: Extensive deterioration.

Bldg. P–4370, Fort Drum
Ft. Drum Co: Jefferson NY 13602
Landholding Agency: Army
Property Number: 219430004
Status: Unutilized
Reason: Sewage pumping station.

10 Bldgs., Fort Drum
Ft. Drum Co: Jefferson NY 13602
Landholding Agency: Army
Property Number: 219430005–219430012, 219430014, 219510016
Status: Unutilized
Reason: (Some are within airport runway clear zone) (Some are extensively deteriorated).

5 Field Range Latrines
Fort Drum
Ft. Drum Co: Jefferson NY 13602
Location: Bldgs. S–2565, S–2703, S–2714, S–2802, S–2822
Landholding Agency: Army
Property Number: 219430013
Status: Unutilized
Reason: Detached latrines.

North Carolina

35 Bldgs. Fort Bragg
Ft. Bragg Co: Cumberland NC 28307
Landholding Agency: Army
Property Number: 219440295, 219530156–219530165
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 12, 16
Military Ocean Terminal
Southport Co: Brunswick NC 28461–5000
Landholding Agency: Army
Property Number: 219510015, 219530155
Status: Unutilized
Reason: Secured Area.

Ohio

63 Bldgs.
Ravenna Army Ammunition Plan
Ravenna Co: Portgage OH 44266–9297
Landholding Agency: Army
Property Number: 219012476–219012507, 219012509–219012513, 219012515, 219012517–219012518, 219012520, 219012522–219012523, 219012525–219012528, 219012530–219012532, 219012534–219012535, 219012537, 219013670–219013677, 219013781, 219210148
Status: Unutilized
Reason: Secured Area.

12 Bldgs., Ravenna Army Ammunition Plan
Ravenna Co: Portgage OH 44266–9297
Landholding Agency: Army
Property Number: 219320399–219320410
Status: Unutilized
Reason: Extensive deterioration.

Oklahoma

546 Bldgs.
McAlester Army Ammunition Plant
McAlester Co: Pittsburg OK 74501–5000
Landholding Agency: Army
Property Number: 219011674, 219011680, 219011684, 219011687, 219012113, 219013981–219013991, 219013994, 219014081–219014102, 219014104, 219014107–219014137, 219014141–219014159, 219014162, 219014165–219014216, 219014218–219014274, 219014336–219014559, 219030007–219030127, 219040004
Status: Underutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

12 Bldgs.
Fort Sill
Lawton Co: Comanche OK 73503–
Landholding Agency: Army
Property Number: 219130060, 219140528–219140529, 219140545–219140548, 219140550–219140551, 219320337, 219440309, 219510023
Status: Unutilized
Reason: Extensive deterioration.

22 Bldgs.
McAlester Army Ammunition Plant
McAlester Co: Pittsburg OK 74501
Landholding Agency: Army
Property Number: 219310050–219310053, 219320170–219320171, 219330149–219330160, 219430122–219430125
Status: Unutilized
Reason: Secured Area (Some are extensively deteriorated).

Oregon

11 Bldgs.
Tooele Army Depot
Umatilla Depot Activity
Hermiston Co: Morrow/Umatilla OR 97838–
Landholding Agency: Army
Property Number: 219012174–219012176, 219012178–219012179, 219012190–219012191, 219012197–21901298, 219012217, 219012229
Status: Underutilized
Reason: Secured Area.

24 Bldgs.
Tooele Army Depot
Umatilla Depot Activity
Hermiston Co: Morrow/Umatilla OR 97838–
Landholding Agency: Army
Property Number: 219012177, 219012185–219012186, 218012189, 219012195–219012196, 219012199–219012205, 219012207–219012208, 219012225, 219012279, 219014304–219014305, 219014782, 219030362–219030363, 219120032, 219320201
Status: Unutilized
Reason: Secured Area.

Pennsylvania

Hays Army Ammunition Plan
300 Miffin Road

Pittsburgh Co: Allegheny PA 15207–
Landholding Agency: Army
Property Number: 219011666
Status: Excess
Reason: Secured Area.

Bldg. 82001, Reading USARC
Reading Co: Berks PA 19604–1528
Landholding Agency: Army
Property Number: 219320173
Status: Unutilized
Reason: Extensive deterioration.

18 Bldgs.
Letterkenny Army Depot
Chambersburg Co: Franklin PA 17201
Landholding Agency: Army
Property Number: 219420399–219420405, 219420415, 219420418–219420423, 219420427–219420430, 219430098
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

10 Bldgs., Letterkenny Army Depot
Chambersburg Co: Franklin PA 17201
Landholding Agency: Army
Property Number: 219530169, 219530172–219530174
Status: Unutilized
Reason: Secured Area, Structural deficiencies.

South Carolina

23 Bldgs., Fort Jackson
Ft. Jackson Co: Richland SC 29207
Landholding Agency: Army
Property Number: 219410157–219410158, 219440237–219440239, 219510017–219510022, 219530175
Status: Unutilized
Reason: Extensive deterioration.

Tennessee

48 Bldgs.
Volunteer Army Ammo. Plant
Chattanooga Co: Hamilton TN 37422–
Landholding Agency: Army
Property Number: 219010475, 219010477, 219010479–219010500, 219240127–219240136, 219420304–219420307, 219430099–219430105, 219520031
Status: Unutilized/Underutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material) (Some are extensively deteriorated).

32 Bldgs.
Holston Army Ammunition Plant
Kingsport Co: Hawkins TN 61299–6000
Landholding Agency: Army
Property Number: 219012304–219012309, 219012311–219012312, 219012314, 219012316–219012317, 219012319, 219012325, 219012328, 219012330, 219012332, 219012334–219012335, 219012337, 219013789–219013790, 219030266, 219140613, 219330178, 219440212–219440216, 219510025–219510028
Status: Unutilized
Reason: Secured Area (Some are within 2000 ft. of flammable or explosive material).

9 Bldgs.
Milan Army Ammunition Plant
Milan Co: Gibson TN 38358
Landholding Agency: Army
Property Number: 219240447–219240449, 219320182–219320184, 219330176–219330177, 219520034
Status: Unutilized
Reason: Secured Area.

Bldg. Z–183A
Milan Army Ammunition Plant
Milan Co: Gibson TN 38358
Landholding Agency: Army
Property Number: 219240783
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Texas

Saginaw Army Aircraft Plan
Saginaw Co: Tarrant TX 76079–
Landholding Agency: Army
Property Number: 219011665
Status: Unutilized
Reason: Easement to city of Saginaw for sewer pipeline ending 5/15/2023.

18 Bldgs.
Lone Star Army Ammunition Plant
Highway 82 West
Texarkana Co: Bowie TX 75505–9100
Landholding Agency: Army
Property Number: 219012524, 219012529, 219012533, 219012536, 219012539–219012540, 219012542, 219012544–219012545, 219030337–219030345
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldgs. 0021A, 0027A
Longhorn Army Ammunition Plant
Karnack Co: Harrison TX 75661–
Location: State highway 43 north
Landholding Agency: Army
Property Number: 219012546, 219012548
Status: Underutilized
Reason: Secured Area.

33 Bldgs., Red River Army Depot
Texarkana Co: Bowie TX 75507–5000
Landholding Agency: Army
Property Number: 219120064, 219130002, 219140255, 219230109–219230115, 219320193–219320194, 219330163, 219420314–219420327, 219430093–219430097, 219440217
Status: Unutilized
Reason: Secured Area (Some are extensively deteriorated).

Bldg. T–5000
Camp Bullis
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219220100–
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material.

Swimming Pools
Fort Bliss
El Paso Co: El Paso TX 79916
Landholding Agency: Army
Property Number: 219230108
Status: Unutilized
Reason: Extensive deterioration.

2 Bldgs., Fort Hood
Ft. Hood Co: Bell TX 76544
Landholding Agency: Army
Property Number: 219340238, 219520061
Status: Unutilized
Reason: Extensive deterioration.

31 Bldgs., Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330161–219330162, 219330473–219330474, 219340095–219340098, 219420309–219420313, 219440439, 219520054, 219530176–219530183
Status: Unutilized
Reason: Extensive Deterioration.

Bldg. T–2514
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330475
Status: Unutilized
Reason: Pump house.

Bldgs. T–2516, T–3180, T–3192, T–3398
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219330476–219330479
Status: Unutilized
Reason: Detached latrines.

Utah

3 Bldgs.
Tooele Army Depot
Tooele Co: Tooele UT 84074–5008
Landholding Agency: Army
Property Number: 219012153, 219012166, 219030366,
Status: Unutilized
Reason: Secured Area.

11 Bldgs.
Tooele Army Depot
Tooele Co: Tooele UT 84074–5008
Landholding Agency: Army
Property Number: 219012143–219012144, 219012148–219012149, 219012152, 219012155, 219012156, 219012158, 219012742, 219012751, 219240267
Status: Underutilized
Reason: Secured Area.

12 Bldgs.
Dugway Proving Ground
Dugway Co: Toole UT 84022–
Landholding Agency: Army
Property Number: 219013996–219013999, 219130008, 219130011–219130013, 219130015–219130018
Status: Underutilized
Reason: Secured Area.

18 Bldgs.
Dugway Proving Ground
Dugway Co: Toole UT 84022–
Landholding Agency: Army
Property Number: 219014693, 219130009–219130010, 219130014, 219220204–219220207, 219330179–219330185, 219420328–219420329, 219440218
Status: Unutilized
Reason: Secured Area.

Bldg. 4520
Tooele Army Depot, South Area
Tooele Co: Tooele UT 84074–5008
Landholding Agency: Army
Property Number: 219240268
Status: Unutilized
Reason: Extensive deterioration.

Virginia

173 Bldgs.
Radford Army Ammunition Plant
Radford Co: Montgomery VA 24141–
Location: State Highway 114
Landholding Agency: Army
Property Number: 219010833, 219010836, 219010839, 219010842, 219010844,

219010847–219010890, 219010892–219010912, 219011521–219011577, 219011581–219011583, 219011585, 219011588, 219011591, 219013559–219013570, 219110142–219110143, 219120071, 219140618–219140633, 219440219–219440225, 219510031–219510033
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material Secured Area.

13 Bldgs.
Radford Army Ammunition Plant
Radford Co: Montgomery VA 24141–
Location: State Highway 114
Landholding Agency: Army
Property Number: 219010834–219010835, 219010837–219010838, 219010840–219010841, 219010843, 219010845–219010846, 219010891, 219011578–219011580
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area; Latrine, detached structure.

58 Bldgs.
U.S. Army Combined Arms Support Command
Fort Lee Co: Prince George VA 23801–
Landholding Agency: Army
Property Number: 219240096, 219240105, 219240107–219240118, 219330191–219330228, 219340092–219340094, 219420341, 219510034, 219520062
Status: Unutilized
Reason: Extensive deterioration (Some are in a secured area).

16 Bldgs.
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 219220210–219220218, 219230100–219230103, 219520037
Status: Unutilized
Reason: Secured Area.

2 Bldgs.
U.S. Army Combined Arms Support Command
Fort Lee Co: Prince George VA 23801
Landholding Agency: Army
Property Number: 219220312, 219220314
Status: Underutilized
Reason: Extensive deterioration.

2 Bldgs., Fort A.P. Hill
Bowlling Co: Caroline VA 22427
Landholding Agency: Army
Property Number: 219240313–219240314
Status: Underutliized
Reason: Detached latrines.

Bldg. B7103–01, Motor House
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 219240324
Status: Unutilized
Reason: Secured Area; Within 200 ft. of flammable or explosive material; Extensive deterioration.

Bldg. TT0868, Fort Pickett
Blackstone Co: Nottoway VA 23824
Landholding Agency: Army
Property Number: 219310143
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 171 Fort Monroe
Ft. Monroe VA 23651
Landholding Agency: Army
Property Number: 219520051
Status: Unutilized
Reason: Extensive Deterioration.

1 Bldg., Fort Story
Ft. Story Co: Princess Ann VA 23459
Landholding Agency: Army
Property Number: 219430016
Status: Unutilized
Reason: Extensive deterioration.

56 Bldgs.
Red Water Field Office
Radford Army Ammunition Plant
Radford VA 24141
Landholding Agency: Army
Property Number: 219430341–219430396
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. SS1238
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427
Landholding Agency: Army
Property Number: 219510030
Status: Underutilized
Reason: Secured Area; Extensive deterioration.

Bldgs. S0001, S0002, S0003, S0005
Hampton USAR Center
Hampton VA 23666
Landholding Agency: Army
Property Number: 219520029
Status: Unutilized
Reason: Secured Area.

Bldgs. S0006, S0007, S0008, S0009
Butler Farms USAR Center
Hampton Farms USAR Center
Hampton VA 23666
Landholding Agency: Army
Property Number: 219520030
Status: Unutilized
Reason: Secured Area.

Bldgs. 2013–00, B2013–00, A1601–00
Radford Army Ammunition Plan
Radford VA 24141
Landholding Agency: Army
Property Number: 219520052, 219530194
Status: Unutilized
Reason: Extensive deterioration.

Washington

24 Training Facilities
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–5000
Landholding Agency: Army
Property Number: 219430128
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

68 Bldgs., Fort Lewis
Ft. Lewis Co: Pierce WA 98433–5000
Landholding Agency: Army
Property Number: 219430129, 219440226–219440229, 219440231–219440235
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldgs. 524, 538, 539
Ft. Lawton
Seattle Co: King WA 98199
Landholding Agency: Army
Property Number: 219430130
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

98 Bldgs. (Barracks)
Fort Lewis
Ft. Lewis Co: Pierce WA 98433
Landholding Agency: Army
Property Number: 219440230
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

152 Bldgs., Fort Lewis
Ft. Lewis Co: Pierce WA 98433
Landholding Agency: Army
Property Number: 219510035–219510056
Status: Unutilized
Reason: Secured Area.

Wisconsin

6 Bldgs.
Badger Army Ammunition Plan
Baraboo Co: Sauk, MI 53913–
Landholding Agency: Army
Property Number: 219011094, 219011209–219011212, 219011217
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Other environmental; Secured Area.
Comment: Friable asbestos.

154 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk WI 53913–
Landholding Agency: Army
Property Number: 219011104, 219011106, 219011108–219011113, 219011115–219011117, 219011119–219011120, 219011122–219011139, 219011141–219011142, 219011144, 219011148–219011208, 219011213–219011216, 219011218–219011234, 219011236, 219011238, 219011240, 219011242, 219011244, 219011247, 219011249, 219011251, 219011254, 219011256, 219011259, 219011263, 219011265, 219011268, 219011270, 219011275, 219011277, 219011280, 219011282, 219011284, 219011286, 219011290, 219011293, 219011295, 219011297, 219011300, 219011302, 219011304–219011311, 219011317, 219011319–219011321, 219011323
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Other environmental; Secured Area
Comment: Friable asbestos.

4 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk WI
Landholding Agency: Army
Property Number: 219013871–219013873, 219013875
Status: Underutilized
Reason: Secured Area.

31 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk WI
Landholding Agency: Army
Property Number: 219013876–219013878, 219220295–219220311, 219510058–219510068
Status: Unutilized
Reason: Secured Area.

Bldgs. 6513–27, 6823–2, 6861–4
Badger Army Ammunition Plant
Baraboo Co: Sauk WI 53913–
Landholding Agency: Army
Property Number: 219210097–219210099

Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

63 Bldgs., Fort McCoy
US Hwy. 21
Ft. McCoy Co: Monroe WI 54656–
Landholding Agency: Army
Property Number: 219210115, 219240206–219240243, 219240256, 219240258–219240262, 219310208–219310225
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 6513–3
Badger Army Ammunition Plant
Baraboo Co: Sauk WI 53913
Landholding Agency: Army
Property Number: 219510057
Status: Unutilized
Reason: Detached Latrine.

124 Bldgs.
Badger Army Ammunition Plant
Baraboo Co: Sauk WI 53913
Landholding Agency: Army
Property Number: 219510069–219510077
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Land (by State)

Alabama

23 acres and 2284 acres
Alabama Army Ammunition Plant
110 Hwy. 235
Childersburg Co: Talladega AL 35044–
Landholding Agency: Army
Property Number: 219210095–219210096
Status: Excess
Reason: Secured Area.

3.152 acres
Anniston Army Depot
Anniston Co: Calhoun AL 36201
Landholding Agency: Army
Property Number: 219530004
Status: Unutilized
Reason: Secured Area.

Alaska

Campbell Creek Range
Fort Richardson
Anchorage Co: Greater Anchorage AK 99507
Landholding Agency: Army
Property Number: 219230188
Status: Unutilized
Reason: Inaccessible.

Illinois

Group 66A
Joliet Army Ammunition Plant
Joliet Co: Will IL 60436–
Landholding Agency: Army
Property Number: 219010414
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Parcel 1
Joliet Army Ammunition Plant
Joliet Co: Will IL 60436–
Location: South of the 811 Magazine Area, adjacent to the River Road.
Landholding Agency: Army
Property Number: 219012810
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material; Floodway.

Parcel No. 2, 3
Joliet Army Ammunition Plant
Joliet Co: Will IL 60436–
Landholding Agency: Army
Property Number: 219013796–219013797
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Floodway.

Parcel No. 4, 5, 6
Joliet Army Ammunition Plant
Joliet Co: Will IL 60436–
Landholding Agency: Army
Property Number: 219013798–219013800
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Floodway.

Homewood USAR Center
18760 S. Halsted Street
Homewood Co: Cook IL 60430–
Landholding Agency: Army
Property Number: 219014067
Status: Underutilized
Reason: Secured Area.

38,000 sq. ft. & 4,000 sq. ft. of Land
Rock Island Arsenal
South Shore Moline Pool Miss. River
Moline Co: Rock Island IL 61299–5000
Landholding Agency: Army
Property Number: 219240317–219240318
Status: Unutilized
Reason: Floodway.

Indiana

Newport Army Ammunition Plant
East of 14th St. & North of S. Blvd.
Newport Co: Vermillion IN 47966–
Landholding Agency: Army
Property Number: 219012360
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Land—Plant 2
Indiana Army Ammunition Plant
Charlestown Co: Clark IN 47111
Landholding Agency: Army
Property Number: 219330095
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Maryland

Carroll Island, Graces Quarters
Aberdeen Proving Ground
Edgewood Area
Aberdeen City Co: Harford Md 21010–5425
Landholding Agency: Army
Property Number: 219012630, 219012632
Status: Underutilized
Reason: Floodway; Secured Area.

New Jersey

Land
Armament Research Development & Eng. Center
Route 15 North
Picatinny Arsenal Co: Morris NJ 07806–
Landholding Agency: Army
Property Number: 219013788
Status: Unutilized
Reason: Secured Area.

Spur Line/Right of Way
Armament Rsch., Dev., & Eng. Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Landholding Agency: Army
Property Number: 219530143
Status: Unutilized
Reason: Floodway.

Oklahoma

McAlester Army Ammo. Plant
McAlester Army Ammunition Plant
McAlester Co: Pittsburg OK 74501–
Landholding Agency: Army
Property Number: 219014603
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material.

Tennessee

Land
Volunteer Army Ammunition Plant
Chattanooga Co: Hamilton TN
Landholding Agency: Army
Property Number: 219013791
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Volunteer Army Ammo. Plant
Chattanooga Co: Hamilton TN
Location: Area around VAAP—outside fence in buffer zone.
Landholding Agency: Army
Property Number: 219013880
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Texas

Land—Approx. 50 acres
Lone Star Army Ammunition Plant
Texarkana Co: Bowie TX 75505–9100
Landholding Agency: Army
Property Number: 219420308
Status: Unutilized
Reason: Secured Area.

Land—all of block 1800
Fort Sam Houston
Portions of 1900, 3100, 3200
San Antonio Co: Bexar TX 78234–5000
Landholding Agency: Army
Property Number: 219530184
Status: Excess
Reason: Floodway.

Virginia

Fort Belvoir Military Reservation-5.6 Acres
South Post located West of Pohick Road
Fort Belvoir Co: Fairfax VA 22060–
Location: Rightside of King Road
Landholding Agency: Army
Property Number: 219012550
Status: Unutilized
Reason: Within airport runway clear zone.; Secured Area.

Wisconsin

Land
Badger Army Ammunition Plant
Baraboo Co: Sauk WI 53913–
Location: Vacant land within plant boundaries.
Landholding Agency: Army
Property Number: 219013783
Status: Unutilized
Reason: Secured Area.

[FR Doc. 96–7489 Filed 3–28–96; 8:45 am]
BILLING CODE 4210–29–M

DEPARTMENT OF THE INTERIOR

Central Utah Project Completion Act; Uintah Unit, Central Utah Project; Irrigation Water Contract Negotiation

AGENCY: Office of the Assistant Secretary—Water and Science, Department of the Interior.

ACTION: Notice of intent to negotiate a contract among the Central Utah Water Conservancy District (CUWCD), Dry Gulch Irrigation Company, and the Department of the Interior (DOI) for transferring storage rights of irrigation water held in high mountain lakes in a Wilderness Area in the Uinta Mountains to storage facilities being planned for the Uintah Unit of the Central Utah Project.

SUMMARY: Public Law 102–575 Section 201(c) extended the authorization of the Uintah Unit of the Central Utah Project for 5 years from time of enactment. This contract is intended to provide replacement storage for irrigation water presently held in the upper drainage areas of the Uinta Mountains in the proposed Lower Uintah Reservoir that is being planned as part of the Uintah Unit of the Central Utah Project. The reservoirs being vacated in the Wilderness Areas will be stabilized at near natural sizes and will be managed by the U.S. Forest Service for environmental utilization. A negotiated contract among CUWCD, Dry Gulch Irrigation Company, and DOI will establish the operating criteria and assure that the water rights of Dry Gulch Irrigation Company are maintained in quantity and priority.

DATES: Dates for public negotiation sessions will be announced in local newspapers.

FOR FURTHER INFORMATION: Additional information on matters related to this Federal Register notice can be obtained at the address and telephone number set forth below: Mr. Michael Hansen, Program Coordinator, CUP Completion Act Office, Department of the Interior, 302 East 1860 South, Provo, UT 84606–6154, Telephone: (801) 379–1194

Dated: March 25, 1996.

Ralph Swanson,

Acting CUP Program Director, Department of the Interior.

[FR Doc. 96–7849 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–RK–P

Central Utah Project Completion Act; Upalco Unit, Central Utah Project; Irrigation Water Contract Negotiation

AGENCY: Office of the Assistant Secretary—Water and Science, Department of the Interior.

ACTION: Notice of intent to negotiate a contract among the Central Utah Water Conservancy District (CUWCD), Moon Lake Water Users Association, and Department of the Interior (DOI) for transferring storage of irrigation water from high mountain lakes in the Wilderness Area in the Uinta Mountains to storage facilities being planned for the Upalco Unit of the Central Utah Project.

SUMMARY: Public Law 102–575, Section 201(c) extended the authorization of the Upalco Unit of the Central Utah Project for 5 years from time of enactment. This contract is intended to provide replacement storage for irrigation water presently held in the upper drainage areas of the Uinta Mountains in the proposed Crystal Ranch Reservoir that is being planned as part of the Upalco Unit of the Central Utah Project. The reservoirs being vacated in the Wilderness Areas will be stabilized at near natural sizes and will be managed by the U. S. Forest Service for environmental utilization. A negotiated contract among CUWCD, Moon Lake Water Users Association, and DOI will establish the operating criteria and assure that the water rights of the Moon Lake Water Users Association are maintained in quantity and priority.

DATES: Dates for public negotiation sessions will be announced in local newspapers.

FOR FURTHER INFORMATION: Additional information on matters related to this Federal Register notice can be obtained at the address and telephone number set forth below:

Mr. Michael Hansen, Program Coordinator, CUP Completion Act Office, Department of the Interior, 302 East 1860 South, Provo UT 84606–6154, Telephone: (801) 379–1194.

Dated: March 25, 1996.

Ralph Swanson,

Acting CUP Program Director, Department of the Interior.

[FR Doc. 96–7850 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–RK–P

Bureau of Land Management

[OR–050–1110–00:G6–0104]

Closure of Public Lands; (Prineville District) Oregon.

March 22, 1996.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice is hereby given that all roads and trails as legally described below are closed to all motorized vehicle use.

LEGAL DESCRIPTION: This closure order applies to all roads and trails located in township 15 South, Range 11 East, Section 16, SE of the SW and SW of the SE; and Section 21 NE of the NW and NW of the NE, with the exception of Jordan Road. Jordan Road originates where it intersects Fryrear Road at Township 15 South, Range 11 East, Section 16 NW of the SW.

All roads and trails as described above, except for Jordan Road, are closed to all motorized vehicle use. The purpose of this closure is to protect wildlife resources. More specifically, this closure is ordered to reduce negative impacts to a nesting pair of golden eagles. Golden eagles are extremely sensitive to motorized disturbance within the sensitive habitat area surrounding the nest site during the nest season. Current uses at the site jeopardize the persistence and nesting success of golden eagles at this location. Exemptions to this closure order apply to administrative personnel of the Central Oregon Co-op for access along and maintenance of the existing powerline right-of-way (Serial #OR–012676). Other exemptions to this closure order may be made on a case-by-case basis by the authorized officer. This emergency order will be evaluated in the Urban Interface Plan Amendment to the 1989 Brothers/La Pine Resource Management Plan. The authority for this closure is 43 CFR 8364.1: Closure and restriction orders.

FOR FURTHER INFORMATION CONTACT: Sarah Nichols, Wildlife Biologist, BLM Prineville District, P.O. Box 550, Prineville Oregon 97754, telephone (541) 416–6725.

SUPPLEMENTARY INFORMATION: Violation of this closure order is punishable by a fine not to exceed $1,000 and/or imprisonment not to exceed 12 months as provided in 43 CFR 8360.0–7.

Dated: March 22, 1996.

James G. Kenna,

Deschutes Resource Area Manager, Prineville District Office.

[FR Doc. 96–7629 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–33–M

[WY–010–1220–00]

Emergency Seasonal Closure of Public Land in the Bald Ridge Area, Park County, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Emergency Seasonal Closure of Public Land in the Bald Ridge Area, Park County, Wyoming.

SUMMARY: Notice is hereby given that effective March 18, 1996, the Bald Ridge area located south of the Clarks Fork of the Yellowstone River and west and north of Hogan Reservoir of Park County, Wyoming on public land administered by the Bureau of Land Management (BLM), Worland District, Cody Resource Area, was closed from December 15 through April 30 to all use (such as hiking, horseback riding, mountain bike riding, crosscountry skiing, and all motorized use) except permitted activities. This action is being taken for resource protection of essential wintering habitat of elk and mule deer. No access into this area will be allowed unless permitted by the Authorized Officer (BLM Cody Resource Area Manager).

EFFECTIVE DATE: This emergency seasonal closure was effective March 18, 1996 and will remain in effect until modified or rescinded by the Authorized Officer.

FOR FURTHER INFORMATION CONTACT: Bob Dieli, Recreation Planner or Duane Whitmer, Area Manager, Cody Resource Area, P.O. Box 518, 1002 Blackburn Avenue, Cody, Wyoming 82414–0518. Telephone (307) 587–2216.

SUPPLEMENTARY INFORMATION: The Cody Resource Area is responsible for the management of essential wildlife habitat in the Bald Ridge area of the Absaroka Front and other crucial habitat areas located throughout the Bighorn Basin. These essential habitat areas and management thereof are covered under the Cody Resource Management Plan (RMP), which was signed on November 8, 1990. ‘‘Seasonal restrictions will be applied as appropriate to surface-disturbing and disruptive activities and land uses on big game crucial habitat, including winter ranges and elk calving areas.’’ (Cody RMP, p. 40)

The Bald Ridge area is crucial wintering habitat for big game. Increasing visitor activity, such as horseback riding, hiking, and antler hunters are causing unacceptable impacts to the wintering elk and deer herds. These activities are causing anxiety during a period when the animals are most susceptible to stress-related health affects that could cause death. These activities also force the herds to be displaced from their winter habitat. The Cody Resource Area will analyze a proposal for facility development at Hogan Reservoir as well as travel management of the Bald Ridge area to be investigated in the near future. This emergency seasonal closure is needed to address an immediate concern.

The following described BLM-administered lands south of the Clarks Fork of the Yellowstone River and west of Hogan Reservoir are included in this seasonal closure: T. 56 N., R. 103 W., sections 7, 8, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, and 33 from the west end of Hogan Reservoir. Hogan Reservoir remains open for fishing and nonmotorized travel within 100 yards of the reservoir’s high-water line. Authority for closure and restriction orders is provided under 43 CFR subpart 8341.2 (a and b), 8364.1, 8372.0–7, 8372.1–2. Violations of this closure are punishable by a fine not to exceed $1,000 and (or) imprisonment not to exceed 12 months.

Dated: March 15, 1996.

Duane Whitmer,

Cody Resource Area Manager, Worland District.

[FR Doc. 96–7712 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–22–P

[MT–060–05–1990–01]

Availability of the Final Environmental Impact Statement for the Zortman and Landusky Mines Reclamation Plan Modifications and Mine Life Extensions, Phillips County, Montana

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Notice of availability of the final environmental impact statement (EIS) for the Zortman and Landusky mines reclamation plan modifications and mine life extensions.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4327), and the Montana Environmental Policy Act, the Bureau of Land Management (BLM) and the Montana Department of Environmental Quality (DEQ), as lead agencies, have prepared, through a third party contractor, a Final EIS on the impacts of the Zortman Mining, Inc. proposal to expand mining and processing of ore reserves at the Zortman and Landusky mines. The Zortman and Landusky mines are located in southwestern Phillips County about 50 miles south of Malta, Montana, near the southern boundary of the Fort Belknap Indian Reservation. The Final EIS presents a preferred alternative and six other alternatives including the company proposed action. The Final EIS discloses the possible environmental consequences associated with each alternative.

A number of changes have been made to the preferred alternative between the Draft EIS and Final EIS, largely in response to public comments. Major changes include: removal of the Peregrine Falcon reintroduction study for the pit highwalls, relocation of the limestone quarries to avoid impacts to northern drainages, routing of all post-reclamation pit runoff to the south, updating of the water quality improvement plan, completion of a Programmatic Agreement for mitigation of impacts to cultural resources, and the inclusion of an aquatic ecosystem mitigation plan.

DATES: A record of decision will be prepared no earlier than 30 days after the Notice of Receipt of the Final EIS is published in the Federal Register.

ADDRESSES: Copies of the Final EIS are available from the Bureau of Land Management, Phillips Resource Area, HC 65 Box 5000, Malta, Montana, 59538 or the State of Montana, Department of Environmental Quality, P.O. Box 200901, Helena, Montana 59620–0901. Public reading copies will be available for review at the following locations: Bureau of Land Management, Office of External Affairs, Main Interior Building, Room 5600, 18th and C Streets NW, Washington, DC; Bureau of Land Management, External Affairs Office, Montana State Office, 222 North 32nd Street, Billings, Montana; Bureau of Land Management, Phillips Resource Area, 501 South 2nd Street East, Malta, Montana; and the State of Montana, Department of Environmental Quality, Helena, Montana.

FOR FURTHER INFORMATION CONTACT: Jim Robinson, Team Leader, Montana Department of Environmental Quality, Hard Rock Bureau, P.O. Box 200901, Helena, Montana, 59620–1601 (406–444–2544) or Scott Haight, Team Leader, Bureau of Land Management, Lewistown District Office, P.O. Box 1160, Lewistown, Montana 59457–1160 (406–538–7461).

SUPPLEMENTARY INFORMATION: On May 11, 1992, Zortman Mining, Inc. (ZMI) filed an application with the Bureau of Land Management, Lewistown District Office, and the Montana Department of State Lands (part of the Montana Department of Environmental Quality as of July 1, 1995), to expand mining operations at the Zortman Mine in the Little Rocky Mountains, Montana. The proposal includes: expansion of existing mine pits to access sulfide ore; a 150-acre, 60-million ton waste rock disposal area; crushing facilities; a 2.5-mile conveyor system; a 200-acre, 80-million ton capacity leach pad; a new processing plant and ponds; a limestone quarry; and other associated facilities. Total disturbance would increase from the existing 401 acres to about 1,292 acres. The operation is located on private and public land. Issues include Native American religious concerns, acid rock drainage, reclamation, and socioeconomic.

In a March 9, 1994, Decision Record, the BLM and DEQ included the analysis of acid rock drainage corrective measures for the nearby Landusky Mine within the scope of the EIS for Zortman Mine expansion, since acid rock drainage has been a problem at both mines. The Final EIS addresses additional mining at the Landusky and Zortman mines, as well as modified reclamation plans for both facilities to address acid rock drainage.

Public participation has occurred throughout the EIS process. A Notice of Intent was published in the Federal Register in November 1992 followed by a supplemental notice in April 1994 expanding the scope of the EIS for the Landusky Mine. Public meetings, informational mailings, and briefings were conducted to solicit comments for the scope of the EIS. About 400 copies of the Draft EIS were distributed to the public and other federal and state agencies. A Notice of Availability of the Draft EIS was published in the Federal Register on August 14, 1995. This was followed by a Notice of Receipt by the Environmental Protection Agency published in the Federal Register on August 18, 1995. The public comment period extended from August 18, 1995 through November 1, 1995 (75 days). During the public comment period the BLM and DEQ held five open houses/public hearings to receive oral and written comments. These meetings were also the forum for the U.S. Army Corps of Engineers to collect public comments on the Zortman Mining, Inc. 404 permit application for the Zortman and Landusky Mine expansions. In addition to oral comments, about 368 letters were received on the Draft EIS. All comments, written and oral, were reviewed and considered in preparation of the Final EIS.

Dated: March 19, 1996.

David L. Mari,

District Manager.

[FR Doc. 96–7713 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–DN–M

[WO–400–06–1310–00]

Green River Basin Advisory Committee Meeting, Colorado and Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Meeting of the Green River Basin Advisory Committee.

SUMMARY: This notice sets forth the schedule and agenda for a meeting of the Green River Basin Advisory Committee (GRBAC).

DATES: April 16, 1996, from 8:00 a.m. until 7 p.m. and April 17, 1996, from 8:00 a.m. until 4 p.m.

ADDRESSES: Sweetwater County Events Complex, 3320 Yellowstone, Rock Springs, WY 82902.

FOR FURTHER INFORMATION CONTACT: Terri Trevino, GRBAC Coordinator, Wyoming Bureau of Land Management, P.O. Box 1828, Cheyenne, WY 82003, (307) 775–6020.

SUPPLEMENTARY INFORMATION: The topics for the meeting will include:

1. Discussion, categorizing, and prioritizing of identified issues.
2. Dissemination of GRBAC information requests.
3. Public comment

This meeting is open to the public. Interested persons may make oral statements to the Committee or file written statements for the committee's consideration. The Committee will hear public comments on Tuesday afternoon, April 16, 1996. Anyone wishing to make an oral statement should notify the GRBAC Coordinator, at the above address by April 9, 1996. The committee may establish a time for oral statements.

Alan R. Pierson,

State Director.

[FR Doc. 96–7748 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–22–M

[CA–010–1220–00]

Meeting of the Bakersfield Resource Advisory Council

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Meeting of the Bakersfield Resource Advisory Council.

SUMMARY: Pursuant to the authorities in the Federal Advisory Committee Act (Pub. L. 92–463) and the Federal land Policy and Management Act of 1976 (sec. 309), the Bureau of Land Management Bakersfield District Resource Advisory Council will meet in Bakersfield, with a field trip to the Carrizo Plain Natural Area.

DATES: April 11–12–13–14, 1996.

ADDRESSES: Washburn Ranch, Carrizo Plain Natural Area, April 11–12; Ramada Inn, 3535 Rosedale Highway, Bakersfield, California, April 13; BLM Bakersfield District Office, 3801 Pegasus Drive, Bakersfield, April 14.

SUPPLEMENTARY INFORMATION: The Bakersfield Resource Advisory Council is a 12 member council appointed by the Secretary of the Interior to give counsel and advice regarding planning and management of public land resources to the District Manager of the Bureau of Land Management Bakersfield District Office, 3801 Pegasus Drive, and then proceed by government vehicle to the Carrizo Plain Natural Area in eastern San Luis Obispo County.

On the way, the Council will visit the oil fields of western kern county, and be briefed on the Bureau's oil and gas program. After a tour of the Carrizo Plain and a discussion of the native plants of the area, the council will have dinner and spend the night at the Washburn Ranch, the administrative headquarters for BLM at Carrizo Plain. Friday, April 12, at the Washburn Ranch, the Council will receive training in rangeland management from BLM staff. The training will consist of 4 hours of classroom study, followed by a field discussion of standards and guidelines for grazing on federal land.

The council will return to Bakersfield Friday evening,a nd will meet at the Ramada Inn beginning at 8 a.m. Saturday, April 13. The Council will hear testimony about Caliente Resource Area issues such as the impact of threatened and endangered species issues on land management decisions. A public comment period is scheduled for 11 a.m. The Council will spend Saturday afternoon discussing its role and responsibilities concerning grazing and land management issues. If necessary, the Council will continue its discussion beginning at 8 a.m. Sunday, April 14, at the BLM Bakersfield District Office.

The entire meeting of the council is open to the public. Please make arrangements in advance by calling the number below if you wish to attend any part of the meeting at the Carrizo Plain. Anyone wishing to address the Council about any public land issue may do so during the public comment period at 11 a.m. Saturday, April 13, 1996 or at any time during the meeting at the discretion of the Council Chairman. Written comments may be submitted at the meeting, or to the address below.

FOR FURTHER INFORMATION CONTACT: Larry Mercer, Public Affairs Officer, Bureau of Land Management, Bakersfield District, 3801 Pegasus Drive, Bakersfield, CA 93308, telephone 805–391–6010.

Dated: March 21, 1996.

Ron Fellows,

District Manager.

[FR Doc. 96–7714 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–40–M

[NV–030–96–1020–00–24–1 A]

Sierra Front/Northwest Great Basin Resource Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Meeting of the Sierra Front/Northwest Great Basin Resource Advisory Council Meeting Location and Time.

SUMMARY: In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972 (FACA, 5 U.S.C.), the Department of the Interior, Bureau of Land Management (BLM) Council meetings will be held as indicated below. The agenda for each meeting includes approval of minutes of the previous meeting, discussion and development of Guidelines for management of the public lands within the jurisdiction of the Council and determination of the subject matter for future meetings.

There will be a public scoping meeting to comment on the proposal to modify the affected Resource Management Plans. Public comment is sought on the issues to be analyzed, the alternatives that may be considered, the standards and guidelines to be addressed, as well as the level of analysis which would be appropriate under the National Environmental Policy Act (NEPA). Implementation of Standards and Guidelines may require some form of planning modification, ranging from simple plan maintenance to plan amendment. It is uncertain what level of plan modification will be needed, if any.

The public may also present written comments to the Council. The Council meeting, public comment period and scoping meeting are listed below.

DATES: Sierra Front/Northwest Great Basin Resource Advisory Council, BLM Nevada State Office, 835 Harvard Way, Reno, NV 89520: April 22, beginning at 8:00 a.m.; public comment will be at 1:30 p.m. The scoping meeting will be held at 7:00 p.m. The working meeting will continue on April 23 beginning at 8:00 a.m. At the discretion of the Chairman, additional public comments may be made at the conclusion of business April 23rd .

FOR FURTHER INFORMATION CONTACT: Joan Sweetland, BLM Public Affairs Officer, 1535 Hot Springs Road, Carson City, NV 89706–0638. (Phone: 702–885–6000.)

(Dated this 13th day of March, 1996.

John O. Singlaub,

District Manager, Carson City District.

[FR Doc. 96–7631 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–HC–M

[AZ-020–06–5440–A136; AZA–29530]

Notice of Realty Action, Sale of Public Land in Maricopa County, AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Sale of public land in Maricopa County.

SUMMARY: The following described public land has been examined and through the land use planning process have been determined to be suitable for disposal by direct sale pursuant to Section 203 of the Federal Land Policy and Management Act of 1976 at no less than the appraised fair market value. The land will not be offered for sale until at least 60 days after the date of publication of this notice in the Federal Register.

Gila and Salt River Meridian

T. 3 S., R. 4 W.,
Sec. 2, S½NW¼,SW¼.

The area described contains 240 acres in Maricopa County.

The patent, when issued, will be subject to the following terms, conditions and reservations:

1. A right-of-way for ditches and canals constructed by the authority of the United States.
2. Those rights for transmission line purposes granted to U.S. West Communications by Right-of-Way Numbers AZA–011068 and AZAR–0032095.
3. Those rights for the use of highways purposes granted to Arizona State Highways Department by Right-of-Way Number AZA–0005251.
4. Those rights the grazing permittee, John F. and Cecilia Siebert, may have to continue his current grazing use for two years from receipt of a cancellation notice. (Grazing Record No.022346).

DATES: Upon publication of this Notice in the Federal Register, the land described above will be segregated from appropriation under the public land laws, including the mining laws, except the sale provisions of the Federal Land Policy and Management Act. The segregative effect will end upon issuance of patent or 270 days from the date of publication, whichever occurs first.

ADDRESS: Phoenix District Office, 2015 West Deer Valley Road, Phoenix, Arizona 85027.

FOR FURTHER INFORMATION CONTACT: Bob Hale, Realty Specialist, at the address shown above or (602) 780–8090.

SUPPLEMENTARY INFORMATION: The land is being offered by direct sale to State of Arizona; Arizona Department of Administration, Phoenix, Arizona. Failure or refusal of the State of Arizona to submit the required amount, will result in cancellation of the sale.

A mineral value determination will be made and if there are known mineral values the mineral interest will be conveyed simultaneously under Section 209 of the Federal Land Policy and Management Act. A separate nonrefundable filing fee of $50 is required from the purchasers for conveyance of the mineral interests.

For a period of 45 days from the date of publication of this notice in the Federal Register, interested parties may submit comments to the District Manager, who may vacate or modify this realty action to accommodate the protest. If the protest is not accommodated, the comments are subject to review of the State Director who may sustain, vacate,or modify this realty action. This realty action will become the final determination of the Department of the Interior.

Dated: March 22, 1996.

David J. Miller,

Associate District Manager.

[FR Doc. 96–7665 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–32–P

[CO–930–1430–01; COC 58796]

Notice of Realty Action; Non-Competitive Sale of Lands; Colorado

AGENCY: Department of the Interior, Bureau of Land Management.

Amendment

In notice document 96–6813 appearing on pages 11864–11865 in the issue of Friday, March 22, 1996, the legal description is amended to read:

New Mexico Principal Meridian, Colorado,

T. 32 N., R. 1 E.
Sec. 2, lot 7.

Dated: March 22, 1996.

Jenny L. Saunders,

Realty Officer, Division of Resource Services, Colorado State Office.

[FR Doc. 96–7611 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–JB–M

Minerals Management Service

Modification to the Bid Adequacy Procedures

AGENCY: Minerals Management Service, Interior.

ACTION: Notification of procedural changes.

SUMMARY: The Minerals Management Service (MMS) has modified its existing bid adequacy procedures for ensuring receipt of fair market value on Outer Continental Shelf (OCS) oil and gas leases. This procedure eliminates in Phase 1 the number of bids rule, which effectively allowed for immediate acceptance of high bids on confirmed or wildcat tracts receiving three or more bids.

DATES: This modification is effective March 29, 1996.

FOR FURTHER INFORMATION CONTACT: Dr. Marshall Rose, Chief, Economic Evaluation Branch; Minerals Management Service; Mail Stop 4220, 381 Elden Street, Herndon, Virginia 22070–4817; telephone: (703) 787–1536.

SUPPLEMENTARY INFORMATION: Previous changes in the February 1983 bid adequacy procedures were made in February, March, and July 1984, May 1985, and May 24, 1991 (56 FR 23978). The following complete set of bid adequacy procedures incorporates those earlier changes and this most recent change.

The MMS uses a two-phase process to determine bid adequacy. In Phase 1, we classify tracts into two groups: drainage and development or wildcat and confirmed. The MMS also identifies nonprospective tracts, i.e., those tracts judged not to be located on a viable prospect. All legal high bids [1] on such nonprospective tracts are accepted. The MMS passes the high bids on all other tracts directly to Phase 2 for further evaluation. Phase 1 is conducted tract-by-tract and is generally completed within 2 weeks of the bid opening.

Phase 2 applies criteria designed to further determine bid adequacy on a tract-specific basis. Prospective wildcat and confirmed tracts that are not accepted in Phase 1 may receive further mapping and/or analysis in Phase 2. Subsequently, MMS reviews the viability determinations of these tracts. Those wildcat and confirmed tracts later determined to be nonviable can be eliminated from the set of tracts undergoing a full-scale MONTCAR evaluation and the high bids on them accepted. The remaining tracts, including all drainage and development tracts, receive further evaluation by comparing the high bids with the Mean Range of Values (MROV) and the Adjusted Delay Value (ADV). In addition, if in the judgment of the Regional Director a tract is or may be subject to drainage, the relevant costs due to delays associated with bid rejection are considered in computing the ADV.

All drainage and development tracts which received three or more adjusted bids [2] and prospective wildcat and confirmed tracts which received two or more adjusted bids will be compared with the Geometric Average Evaluation of Tract (GAEOT). For drainage and development tracts, the GAEOT will not be used when the high bid is equal to or less than one-sixth of the MROV.

The MMS conducts most evaluations based upon data and analysis available at the time of the sale. However, we may gather additional data and perform further analyses after the sale at the discretion of the Regional Director to ensure a fair return to the Government.

The MMS normally completes the bid adequacy recommendations for acceptance/rejection developed in Phase 2 sequentially over a period ranging between 14 and 90 days after the sale. Upon acceptance, the high bidders must pay the balance of the bonus bid (80 percent) along with the first year's annual rental within 15 days. The MMS returns the deposits, with interest, on all rejected high bids.

Dated: March 22, 1996.

Thomas Gernhofer,

Associate Director for Offshore Minerals Management.

[FR Doc. 96–7645 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–MR–M

[1] ''Legal high bids'' mens those high bids which comply with MMS regulations and the Notice of Sale.

[2] Anomalous bids are not included in the bid number in Phase 2. Anomalous bids include all but the highest bid submitted for a tract by the same company, bidding alone or jointly, and the lowest bid on a tract when it is less than one-eight of the next lowest bid. The ''one-eighth rule'' can exclude no more than one bid for a given tract.

National Park Service

Jean Lafitte National Historical Park and Preserve; Meeting

ACTION: Public meeting for Draft Barataria Boundary Study and the availability for public review of the study.

SUMMARY: Notice is hereby given that the Draft Barataria Boundary Study has been completed by the National Park Service and will be available for public review from April 1, 1996 through May 1, 1996. Copies of the draft study can be obtained from the National Park Service at the following address: National Park Service, Denver Service Center, Attn. Ann Van Huizen, 12795 West Alameda Parkway, Denver, Colorado 80227–0287. Telephone: (303) 969–2451. All written comments on the draft study should be addressed to the National Park Service, attention Ann Van Huizen, at the above address and must be postmarked no later than May 1, 1996. Additional notice is hereby given that three public meetings will be held in Louisiana, on the dates and at the locations and times provided in this Notice, to receive public comment on the draft study. The draft study will also be available for public review at the Preserve headquarters between the hours of 8:30 a.m. to 4:30 p.m. Central Standard time.

DATES:

April 9, 1996, From 6 p.m. to 9 p.m. at the University Center, Room 211B, University of New Orleans, New Orleans, Louisiana

April 10, 1996, From 2 p.m. to 5 p.m., West Bank Regional Library, 2751 Manhattan Blvd., Harvey, Louisiana

April 10, 1996, From 6:30 p.m. to 9:30 p.m., Environmental Education Center, Barataria Preserve Unit, Jean Lafitte National Historical Park, and Preserve, Highway 45, Marrero, Louisiana.

FOR FURTHER INFORMATION CONTACT:

Mr. Roberts Belous, Superintendent, Jean Lafitte National Historical Park and Preserve, 365 Canal Street, Suite 3080, New Orleans, Louisiana 70130–1142, (504 589–3882, extension 128).

SUPPLEMENTARY INFORMATION: The boundary for the Barataria Preserve Unit of Jean Lafitte National Historical Park and Preserve was established through congressional legislative action in 1978. During the intervening years there have been significant changes in land uses along this area not currently part of the park that could merit inclusion. The analysis in the Draft Barataria Boundary Study will provide objective information for consideration in any future action by the Department of Interior or the U.S. Congress to revise the park's original legislative boundary.

Dated: March 21, 1996.

Frank Catroppa,

Superintendent, Gulf Coast System Support Office.

[FR Doc. 96–7676 Filed 3–28–96; 8:45 am]

BILLING CODE 4310–70–M

DEPARTMENT OF LABOR

Employment Standards Administration Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis–Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing fro delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue NW., Room S–3014, Washington, DC 20210.

New General Wage Determination Decisions

The number of the decisions added to the Government Printing Office document entitled ''General Wage Determinatin Issued Under the Davis-Bacon and related Acts'' are listed by Volume and State:

Volume III

Florida
FL960077 (Mar. 29, 1996)

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled ''General Wage Determinations Issued Under the Davis—Bacon and Related Acts'' being modified are listed by Volume and State. Dates of publication in the Federal Register are in parentheses followign the decisions being modified.

Volume I

Massachusetts
MA960001 (Mar. 15, 1996)
MA960002 (Mar. 15, 1996)
MA960003 (Mar. 15, 1996)
MA960004 (Mar. 15, 1996)
MA960005 (Mar. 15, 1996)
MA960006 (Mar. 15, 1996)
MA960007 (Mar. 15, 1996)
MA960008 (Mar. 15, 1996)
MA960009 (Mar. 15, 1996)
MA960012 (Mar. 15, 1996)
MA960013 (Mar. 15, 1996)
MA960017 (Mar. 15, 1996)
MA960018 (Mar. 15, 1996)
MA960019 (Mar. 15, 1996)
MA960020 (Mar. 15, 1996)
MA960021 (Mar. 15, 1996)
New York
NY960004 (Mar. 15, 1996)
NY960005 (Mar. 15, 1996)
NY960008 (Mar. 15, 1996)
NY960011 (Mar. 15, 1996)
NY960018 (Mar. 15, 1996)
NY960022 (Mar. 15, 1996)
NY960026 (Mar. 15, 1996)
NY960040 (Mar. 15, 1996)
NY960048 (Mar. 15, 1996)
NY960072 (Mar. 15, 1996)
NY960075 (Mar. 15, 1996)
NY960077 (Mar. 15, 1996)
Rhode Island
RI960001 (Mar. 15, 1996)
RI960002 (Mar. 15, 1996)

Volume II

None

Volume III

None

Volume IV

Ohio
OH960001 (Mar. 15, 1996)
OH960002 (Mar. 15, 1996)
OH960003 (Mar. 15, 1996)
OH960027 (Mar. 15, 1996)
OH960029 (Mar. 15, 1996)

Volume V

Texas
TX 960051 (Mar. 15, 1996)

Volume VI

Alaska
AK960001 (Mar. 15, 1996)
AK960002 (Mar. 15, 1996)
AK960010 (Mar. 15, 1996)
Idaho
ID960001 (Mar. 15, 1996)
Oregon
OR960001 (Mar. 15, 1996)
OR960017 (Mar. 15, 1996)
Washington
WA960001 (Mar. 15, 1996)
WA960002 (Mar. 15, 1996)
WA960003 (Mar. 15, 1996)
WA960005 (Mar. 15, 1996)
WA960007 (Mar. 15, 1996)
WA960011 (Mar. 15, 1996)
WA960013 (Mar. 15, 1996)

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon and Related Acts''. This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the county.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487–4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512–1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, DC this 22nd day of March 1996.

Philip J. Gloss,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 96–7374 Filed 3–29–96; 8:45 am]

BILLING CODE 4510–27–M

NUCLEAR REGULATORY COMMISSION

Atomic Safety and Licensing Board

[No. 50–160–Ren; ASLBP No. 95–704–01–Ren]

Georgia Institute of Technology, Atlanta, Georgia; Georgia Tech Research Reactor; Renewal of Facility License R–97

March 25, 1996.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference will be held in this proceeding on Wednesday, April 24, 1996, beginning at 2:00 p.m., at the United States Court of Appeals, Courtroom 338, 56 Forsyth Street, Atlanta, Georgia 30303.

As outlined in the Atomic Safety and Licensing Board's Memorandum and Order dated March 21, 1996, the conference will concern matters bearing upon the preparation for the hearing commencing on May 20, 1996, as set forth in 10 CFR 2.752(a), including a final list of witnesses and the order and scheduling of those witnesses, the obtaining of stipulations and admissions of fact and of the contents and authenticity of documents to avoid unnecessary proof, the numbers of copies of documents to be distributed to the Board, parties and the reporter, the marking of those documents, and such other matters as may aid in the orderly disposition of the proceeding.

Members of the public are invited to attend the conference but may not otherwise participate in the proceeding.

Dated: March 25, 1996.

For the Atomic Safety and Licensing Board.

Charles Bechhoefer,

Chairman, Administrative Judge.

[FR Doc. 96–7675 Filed 3–28–96; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Customer Satisfaction Surveys and Focus Groups

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of submission for OMB review; comment request.

SUMMARY: The Pension Benefit Guaranty Corporation has requested that the Office of Management and Budget approve a series of new collections of information under the Paperwork Reduction Act. The purpose of the information collections, which will be conducted through focus groups and surveys over a three-year period, is to help the PBGC assess the efficiency and effectiveness with which it serves its customers and to design actions to address identified problems.

DATES: All comments must be submitted to OMB by April 29, 1996.

ADDRESSES: All written comments should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for the Pension Benefit Guaranty Corporation, 725 17th Street NW., Room 10235, Washington, DC 20503. The request for approval will be available for public inspection at the PBGC Communications and Public Affairs Department, suite 240, 1200 K Street NW., Washington, DC 20005, between the hours of 9 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Marc L. Jordan, Attorney, Office of the General Counsel, Suite 340, 1200 K Street NW., Washington, DC 20005, 202–326–4026 (202–326–4179 for TTY and TDD). (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) establishes policies and procedures for controlling the paperwork burdens imposed by Federal agencies on the public. The Act vests the Office of Management and Budget (OMB) with regulatory responsibility over these burdens, and OMB has promulgated rules on the clearance of collections of information by Federal agencies.

Executive Order 12862, Setting Customer Service Standards, states that, in order to carry out the principles of the National Performance Review, the Federal Government must be customer-driven. It directs all executive departments and agencies that provide significant services directly to the public to provide those services in a manner that seeks to meet the customer service standards established in the Executive Order.

The PBGC intends to establish a mechanism through which it will be able to explore issues of mutual concern (*e.g.*, kind and quality of desired services) with its major outside client groups, *i.e.*, participants and beneficiaries, plan sponsors and their affiliates, plan administrators, pension practitioners and others involved in the establishment, operation and termination of plans covered by the PBGC's insurance program.

The areas of concern to the PBGC and its client groups will change over time, and it is important that the PBGC have the ability to evaluate customer concerns quickly. Accordingly, the PBGC is requesting that OMB grant ''generic'' approval, for a three-year period, of focus groups and surveys of the PBGC's outside client groups. Participation in the focus groups and surveys will be voluntary. The PBGC will consult with OMB regarding each specific information collection during the approval period.

On December 29, 1995, the PBGC published in the Federal Register a notice of intention to request OMB approval of these collections. No comments were received in response to the notice.

This voluntary collection of information will put a slight burden on a very small percentage of the public. The PBGC expects to conduct focus groups involving a total of approximately 225 persons each year, with a total annual burden of approximately 675 hours, including travel time. (Some portion of this time may be spent completing surveys at focus group meetings.) In addition, the PBGC expects to distribute written surveys to approximately 1,600 persons each year (in most cases as an adjunct to a focus group), with a total annual burden of approximately 200 hours.

Issued at Washington, D.C., this 26th day of March 1996.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 96–7673 Filed 3–28–96; 8:45 am]

BILLING CODE 7708–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Agency Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of April 1, 1996.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Johnson, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Wednesday, April 3, 1996, at 10:00 a.m., will be:

Institution and settlement of administrative proceedings of an enforcement nature.

Institution of injunctive actions.

Formal orders of investigation.

Opinions.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942–7070.

Dated: March 27, 1996.

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7910 Filed 3–27–96; 3:54 pm]

BILLING CODE 8010–01–M

[Release No. 34–37007; File No. SR–Amex–95–39, SR–CBOE–95–67, and SR–Phlx–95–76]

Self-Regulatory Organizations; Order Approving Proposed Rule Changes and Notice of Filing and Order Granting Accelerated Approval of Amendments Thereto by the American Stock Exchange, Inc., Chicago Board Options Exchange, Inc., and Philadelphia Stock Exchange, Inc., Relating to the Establishment of Uniform Listing and Trading Guidelines for Narrow-Based Stock Index Warrants

March 21, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] the American Stock Exchange, Inc. (''Amex''), Chicago Board Options Exchange, Inc. (''CBOE''), and Philadelphia Stock Exchange, Inc. (''Phlx'') (collectively ''Exchanges'') submitted to the Securities and Exchange Commission (''Commission'' or ''SEC'') proposed rule changes (''proposals'') to establish uniform listing and trading guidelines for narrow-based stock index warrants.[3]

Notice of the proposals, and Amendment No. 1 thereto, were published for comment and appeared in the Federal Register.[4] No comment letters were received.

The Amex subsequently submitted Amendments No. 2, 3, and 4 to the proposal on January 22, 1996 (''Amex Amendment No. 2''), January 30, 1996 (''Amex Amendment No. 3''), and January 31, 1996 (''Amex Amendment No. 4'').[5] The CBOE subsequently submitted Amendments No. 2, 3, and 4 to the proposal on December 27, 1995 (''CBOE Amendment No. 2''), February 2, 1996 (''CBOE Amendment No. 3''), and February 27, 1996 (''CBOE Amendment No. 4'').[6] The Phlx subsequently submitted Amendment No. 2 (''Phlx Amendment No. 2'') (collectively with all of the Exchange's Amendments that have not been noticed to date ''Amendments'') to the proposal on January 31, 1996.[7]

CBOE Amendment No. 2 addresses index maintenance standards. Amex Amendment No. 2 was superseded by Amex Amendment No. 3. Amex and CBOE Amendments No. 3 and Phlx Amendment No. 2 address position limit related issues. Amex Amendment No. 4 reduces the originally proposed position limit applicable to certain narrow-based index warrants and CBOE Amendment No. 4 clarifies an example contained in CBOE Amendment No. 3 with respect to position limit aggregation. This order approves the proposals, as amended, and solicits comments on the Amendments.

I. Description of the Proposal

On August 29, 1995, the Commission approved rule changes for the Exchanges which established uniform listing and trading guidelines for broad-based stock index, currency, and currency index warrants (''broad-based regulatory framework'').[8] Those standards govern all aspects of the listing and trading of index warrants, including issuer eligibility, customer suitability and account approval procedures, position and exercise limits, reportable positions, automatic exercise, settlement, margin, and trading halts and suspensions.

The purpose of this proposal is to allow for the listing and trading of warrants on narrow-based stock index groups. With the exceptions of separate higher margin requirements and reduced position limits, the broad-based regulatory framework will fully apply to the listing, trading, and surveillance of narrow-based index warrants. This includes a heightened suitability standard for recommendations in index warrants as well as requiring all

[1] 15 U.S.C. § 78s(b)(1) (1988 & Supp. V 1993).

[2] 17 CFR 240.19b–4 (1994).

[3] The Amex, CBOE, and Phlx rule filings were submitted on September 9, 1995, November 9, 1995, and October 27, 1995, respectively. On November 1, 1995, November 20, 1995, and November 22, 1995, Amex, CBOE, and Phlx, respectively, each submitted Amendment No. 1 (''Amendment No. 1'') to their proposals to address issues relating to settlement value for warrants. *See* Letters from William Floyd-Jones, Amex, to Michael Walinskas, SEC, dated October 30, 1995 (''Amex Amendment No. 1''), Timothy Thompson, CBOE, to Stephen M. Youhn, SEC, dated November 15, 1995 (''CBOE Amendment No. 1''), and Shelle Weisbaum, Phlx, to Michael Walinskas, SEC, dated November 22, 1995 (''Phlx Amendment No. 1''). Amex and Phlx Amendment No. 1 also address issues relating to index maintenance standards.

[4] *See* Securities Exchange Act Release Nos. 36448 (Nov. 1, 1995), 60 FR 56180 (Nov. 7, 1995) (Amex); 36525 (Nov. 29, 1995), 60 FR 62512 (Dec. 6, 1995) (CBOE); and 36524 (Nov. 29, 1995), 60 FR 62521 (Dec. 6, 1995) (Phlx).

[5] *See* Letters from William Floyd-Jones, Amex, to Stephen M. Youhn, SEC, dated January 19, 1996, January 29, 1996, and January 30, 1996, respectively.

[6] *See* Letters from Timothy Thompson, CBOE, to Stephen M. Youhn, SEC, dated December 21, 1995, February 1, 1996, and February 27, 1996, respectively.

[7] *See* Letter from Shelle Weisbaum, Phlx, to Michael Walinskas, SEC, dated January 30, 1996.

[8] On August 29, 1995, the Commission approved uniform listing and trading guidelines for stock index, currency and currency index warrants for the New York Stock Exchange (''NYSE''), Pacific Stock Exchange (''PSE''), Phlx, Amex, and CBOE. *See* Securiies Exchange Act Release Nos. 36165, 36166, 36167, 36168, and 36169 (Aug. 29, 1995), respectively. The PSE, to date, has not submitted a narrow-based index warrant filing and the NYSE is not being approved in this order.

purchasers of index warrants to be options approved. The proposed changes from the broad-based regulatory framework are outlined as follows:

(a) *Position Limits.* The Exchanges note that position limits for broad-based index warrants were set at levels approximately equal to 75 percent the then applicable corresponding limits applicable to options on the same index. In turn, the Exchanges propose to establish narrow-based index warrant position limits at a level equal to 75 percent of those recently approved for narrow-based index options.[9] As a result, narrow-based position limits would be governed by three tiers, using the same qualifications criteria as used for narrow-based index option position limits:

(i) 4,500,000 warrants where one stock in the group accounts, on average, for 30% or more of the numerical index value during the 30-day period immediately preceding the review.

(ii) 6,750,000 warrants where either a single stock in the group accounts for 20 percent or more of the group's numerical index value, or any five stocks in the group together account for 50 percent or more of the group's numerical index value, during the immediately preceding 30 days.

(iii) 9,000,000 warrants if the underlying group does not fall within the criteria set forth in either of the other two tiers.

The Exchanges propose to make the determinations described above when a particular issuance first commences trading the twice a year thereafter. An Exchange may establish uniform dates on which to make those semi-annual determinations in order to make them for all of its Exchange-listed narrow-based index warrants at the same time. After an issuance of warrants commences trading, an Exchange would begin to make the subsequent semi-annual determinations on the first of the uniform dates thereafter.

If the subsequent semi-annual determinations indicate that an index qualifies for a larger position limit, an Exchange may increase the limit to the new number immediately. Once a position limit is established for a particular warrant issuance, however, it will not be reduced. As a result, position limits for issuances of warrants overlying the same index may be different. In the event there is more than one issuance overlying an index, the Exchanges have proposed that there be an additional position limit applicable to all those warrant issuances on the same narrow-based index in the aggregate (''overall position limit''). This overall position limit for warrants on a narrow-based index shall be equal to the largest individual position limit then applicable to any warrant issuance of that same narrow-based index.[10]

(b) *Margin Requirements.* Margin will be similar to that required for narrow-based index options. Accordingly, all purchases of narrow-based index warrants must be paid in full. Additionally, the minimum margin required for each narrow-based index warrant carried short in a customer's account would be 100% of the current market value of each warrant plus 20% of the current index group value. Narrow-based index warrants would also be subject to the same spread margin treatment recently approved for broad-based index warrants.[11]

Listing Warrants on Approved Indexes

The proposed narrow-based index warrant regulatory framework would also allow the Exchanges to list a warrant on a narrow-based stock index without prior Commission approval if the Commission has already approved the underlying stock index for warrant or options trading. Furthermore, the Exchanges propose to incorporate certain generic initial listing and maintenance criteria which, when satisfied, provide for the expedited approval of warrants based on narrow-based indexes. The expedited approval process is nearly identical to that approved for narrow-based index options [12] except as provided below:

(i) the index must contain a minimum of nine stocks at all times; [13] and

(ii) allow for the use of closing (''p.m.'') prices in determining the value of an index warrant except that, where 25 percent or more of the value of an index underlying a warrant consists of stocks that trade primarily in the United States, opening price (''a.m. settlement'') must be used at (1) the warrant's expiration, and (2) on any date in which the warrant's settlement value will be based on prices on either of the two business days preceding expiration.[14]

II. Findings and Conclusions

The Commission finds that the proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5).[15] Specifically, the Commission finds that the Exchanges' proposals to establish uniform listing and trading standards for narrow-based stock index warrants strike a reasonable balance between the Commission's mandates under Section 6(b)(5) to remove impediments to and perfect the mechanism of a free and open market and a national market system, while protecting investors and the public interest. In addition, the proposed listing standards for warrants for warrants are consistent with the Section 6(b)(5) requirements that rules of an exchange be designed to prevent fraudulent and manipulative acts, to promote just and equitable principles of trade, and are not designed to permit unfair discrimination among issuers.

The Exchanges' proposed generic listing standards for narrow-based stock index warrants set forth a regulatory framework for the listing of such products. Generally, listing standards serve as a means for an exchange to screen issuers and to provide listed status only to *bona fide* issuances that will have sufficient public float, investor based, and trading interest to ensure that the market has the depth and liquidity necessary to maintain fair and orderly markets. Adequate standards are especially important for warrant issuances given the leveraged and contingent liability they represent.

The Commission notes that, with certain exceptions listed below, the Exchanges will apply to narrow-based index warrants the same regulatory framework which recently was approved for broad-based index warrants. In approving the broad-based index warrant regulatory framework, the Commission found that the framework provides an adequate regulatory structure for the trading of such warrants, including appropriate trading rules, sales practice requirements, margin requirements, position and exercise limits and surveillance procedures. The Commission also found that the applicable framework is designed to minimize the potential for

[9] Currently, depending on the characteristics of the index, position limits for narrow-based index options are either 12,000, 9,000, or 6,000 contracts on the same side of the market.

[10] For example, assume a firm issues warrants on a narrow-based index in July 1996 (''Issuance 1'') and, at the time, the applicable position limit for that issuance is 9 million warrants. The following year, in July 1997, the same firm completes a new issuance of warrants on the same index (''Issuance 2''). At the time of the second issuance, however, the composition of the index has changed such that it now qualifies for a position limit of 6.75 million warrants. An investor would still be permitted to hold 9 million warrants of Issuance 1. Any aggregate position including warrants from Issuance 1 and 2 would be subject to an overall 9 million warrant position limit, with no more than 6.75 million of those warrants coming from Issuance 2. Under no circumstances could an investor hold more than 6.75 million warrants from Issuance 2.

[11] *See, e.g.,* Amex Rule 462(d)(2)(F) and (G).

[12] *See* Securities Exchange Act Release No. 34157 (June 3, 1994).

[13] The generic narrow-based index option standard requires ten stocks initially and nine stocks thereafter.

[14] The generic index option standard requires the use of opening (''a.m.'') price settlement.

[15] 15 U.S.C. § 78f(b)(5) (1988).

manipulation, thereby helping to ensure that such index warrants do not have a negative market impact. Finally, the Commission also indicated that the framework adequately addressed the special risks to customers arising from the trading of such warrants.[16]

The Commission believes it is reasonable for the Exchanges to apply a nearly identical regulatory structure to narrow-based index warrants as broad-based index warrants, particularly given the substantial similarities that exist between them.[17] Both broad and narrow-based stock index warrants represent a leveraged investment in a portfolio or group of equity securities. However, broad-based index products generally have a large number of component securities and represent a certain overall equities market or a substantial segment thereof. Narrow-based index products, on the other hand, generally are comprised of fewer component securities that often are concentrated in a particular industry group. These differences heighten concerns with leveraged narrow-based index products regarding market impact, manipulation and volatility, dictating that narrow-based indexes be subject to lower position limits and more restrictive margin treatment.[18]

Accordingly, the Exchanges have proposed separate margin and position limit treatment for narrow-based index warrants. The proposed margin levels are analogous to those currently in place for narrow-based stock index options. The Commission believes these requirements will provide adequate customer margin levels sufficient to account for the potential volatility of these products. In addition, the Commission believes that it is appropriate to apply options margin treatment given the options-like market risk posed by warrants.[19]

The proposed position limits are also similar to those in place for narrow-based index options.[20] In addition, the Exchanges have proposed aggregation requirements to address multiple issuances of warrants on the same narrow-based index.[21] The Commission believes that the position limits and aggregation requirements are reasonable and will serve to minimize potential manipulation and other market impact concerns while not unduly restricting liquidity in warrant issuances.

The Commission believes the Exchanges' existing surveillance procedures applicable to broad-based index warrants are adequate to surveil the trading of narrow-based index warrants. The Commission found that the Exchanges' broad-based surveillance procedures were adequate to surveil for manipulation and other abuses involving the warrant market and the underlying component securities. Given the functional similarities between narrow and broad-based index warrants, the Commission believes it is reasonable to apply the same surveillance procedures to both.

Similarly, for the same reasons noted in our order approving broad-based index warrants, the Commission believes that heightened customer suitability standards, options account approval requirements, and sales practice procedures which are modelled after index options should be extended to narrow-based index warrants. The Commission notes that, upon approval of this filing, the Exchanges may list a warrant upon any narrow-based index that the Commission has previously approved for options or warrant trading. Additionally, in order to expedite SEC review of a particular warrant issuance, the Exchanges have proposed employing accelerated listing procedures similar to those adopted for listing options on narrow-based indexes.[22]

The Commission notes that these proposed accelerated listing standards for index warrants differ from the standards applicable to narrow-based index options in that there is a minimum nine stock requirement for index warrants (*i.e.,* an index must initially and at all times thereafter be comprised of at least nine stocks) and that index warrants may, at certain times, utilize a p.m. settlement methodology, as discussed above. The Commission believes the proposed differences are reasonable in the warrant context for several reasons.

With respect to p.m. settlement, index warrants are issuer-based products whose terms are individually set by the issuer, with the number of warrants on a given index being fixed at the time of issuance. Accordingly, it is not certain that there will be a significant number of warrants in indexes with similar components expiring on the same day. This may reduce pressure from liquidation of warrant hedges at settlement. Second, the Commission authorized the same settlement methodology for broad-based index warrants and believes it is reasonable that narrow-based index warrants operate in the same manner. With respect to the nine stock requirement, the Commission does not believe that this difference is such that it will subject narrow-based index warrants to increased manipulation. In fact, narrow-based index options impose the same maintenance requirement of nine stocks. The Commission does not believe that the creation of a nine stock index, as opposed to a ten stock index, will lead to increased manipulation, per se, provided the other listing criteria are satisfied. The Commission notes that this requirement precludes the issuance of index warrants pursuant to the accelerated listing procedures upon any index comprised of less than nine stocks.

The Commission believes that the accelerated listing procedures will provide a sufficient opportunity for it to examine narrow-based index warrant

[16] Pursuant to Section 6(b)(5) of the Act, the Commission is required to find, among other things, that trading in warrants will serve to protect investors and contribute to the maintenance of fair and orderly markets. In this regard, the Commission must predicate approval of any new derivative product upon a finding that the introduction of such derivative instrument is in the public interest. Such a finding would be difficult for a derivative instrument that served no hedging or other economic function, because any benefits that might be derived by market participants likely would be outweighed by the potential for manipulation, diminished public confidence in the integrity of the markets, and other valid regulatory concerns. As discussed below, the Commission believes narrow-based index warrants will serve an economic purpose by providing an alternative product that will allow investors to participate in the price movements of the underlying securities in addition to allowing investors holding positions in some or all of such securities to hedge the risks associated with their portfolios.

[17] The regulatory framework for broad-based index warrants is similar to the approach used in regulating index options. Because the same risks exist in trading of narrow-based index options, the Commission believes it is appropriate to utilize the same approach.

[18] This is similar to the approach taken in regulating narrow-based and broad-based index options.

[19] The customer spread margin rules applicable to broad-based stock index and currency warrants were approved subject to a one year pilot program. The Commission notes that narrow-based index warrants will be subject to the same pilot program and, upon expiration of that program, it will determine whether to revise or approve on a permanent basis the proposed spread margin rules.

[20] The Commission notes that position limits for broad-based stock index warrants were set at a level roughly equivalent to 75% of broad-based index options. In the absence of trading experience with U.S. equities market based index warrants, the Commission believes it would be imprudent to establish position limits for positions greater than those currently applicable (on an equivalent basis) to stock index options on the same index.

[21] Because each individual warrant issuance is assigned a separate identification symbol, the Exchanges have the ability to monitor the aggregation of separate issuances of warrants on the same underlying index.

[22] Accelerated listing procedures allow the Exchange to permit issuances of warrants on a particular narrow-based index pursuant to a filing submitted to the Commission for effectiveness immediately upon filing under Section 19(b)(3)(A) of the Act. In the event that a proposed index does not qualify for expedited approval under these standards, the Exchanges are not precluded from filing a proposed rule change for Commission review pursuant to Section 19(b)(2).

products based on new indexes (which require that a filing be made pursuant to Section 19(b)(3)(A) of the Act). Specifically, the Commission believes that the seven day prefiling requirement gives the Commission staff an opportunity to discuss with an Exchange whether its proposal to list and trade particular narrow-based index warrants properly qualifies for effectiveness upon filing. In addition, the Commission finds that the 30 day delay in the commencement of trading of proposed narrow-based index warrants will provide a meaningful opportunity for public comment prior to the commencement of trading, while also providing an Exchange with the opportunity to inform market participants in advance of the proposed trade date for new index warrants. In accordance with Section 19(b)(3)(C) of the Act, if the Commission determines that the rule change proposal is inconsistent with the requirements of the Act and the rules and regulations thereunder, the 30 day delay would allow the Commission to abrogate the rule change before trading commences, which will minimize disruption on market participants. This authority could be utilized if, for example, it is determined that the proposed narrow-based index warrant does not satisfy the applicable accelerated listing standards.

III. Conclusion

The Commission believes that the adoption of these proposed uniform listing and trading standards for narrow-based index warrants will provide an appropriate regulatory framework. These standards will also benefit the Exchanges by providing them with greater flexibility in structuring narrow-based index warrant issuances and a more expedient process for listing narrow-based index warrants without further Commission review pursuant to Section 19(b) of the Act. As noted above, additional Commission review of specific warrant issuances will generally only be required for warrants overlying any non-approved narrow-based index that has not been previously approved by the Commission for narrow-based index warrant or options trading. If Commission review of a particular warrant issuance is required, the Commission expects that, to the extent that the warrant issuance complies with the uniform criteria adopted herein, its review should generally be limited to issues concerning the newly proposed index. This should help ensure that such additional Commission review could be completed in a prompt manner without causing any unnecessary delay in listing new narrow-based index warrant products.

The Commission finds good cause for approving the Exchanges' Amendments to the proposals prior to the thirtieth day after the date of publication of notice thereof in the Federal Register. The Commission notes that the Amendments primarily relate to position limits and aggregation of multiple issuances of warrants on the same index. The Commission notes that the Amendments ensure that multiple issuances of index warrants on the same narrow-based index will be aggregated together and subject to an overall limit. The Commission believes it is appropriate to aggregate holdings in multiple issuances together since, despite the difference in expiration dates, warrants which overlie the same index are fundamentally the same instrument. Furthermore, aggregation provisions will ensure that an investor (or group) may not circumvent the applicable position limits by merely purchasing warrants from different issuances.

The Amendments also provide that once a position limit is established for a particular warrant issuance, it will not be reduced for the duration of that particular issuance. Given the limited duration of warrants (one to five years), and that any new index warrants on the same index could not exceed the lowered position limits, the Commission believes it is appropriate for position limits to not be reduced during their duration.

CBOE Amendment No. 2 imposes a minimum nine stock requirement for all narrow-based indexes which underlie a warrant issuance. This provision brings CBOE into conformity with the other exchanges. The Amex and Phlx provisions regarding this requirement have already been noticed and no comments were received. Accordingly, this provision does not raise any new or unique regulatory issues. Finally, Amex Amendment No. 4 reduces the lowest position limit tier to 4.5 million warrants from 4.875 million. The Commission notes that this brings the Amex into conformity with the other Exchanges. Finally, CBOE Amendment No. 4 clarifies an example contained in CBOE Amendment No. 3 with respect to position limit aggregation. Because this example is explanatory in nature and does not alter any of its rules, the provision does not raise any new or unique issues. For these reasons, the Commission believes there is good cause, consistent with Section 19(b)(2) [23] of the Act, to approve the Exchanges' Amendments to the proposals on an accelerated basis.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the Exchanges' Amendments. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal offices of the above-mentioned self-regulatory organizations. All submissions should refer to the file number in the caption above and should be submitted by April 19, 1996.

It therefore is ordered, pursuant to Section 19(b)(2) of the Act,[24] that the proposed rule changes (SR–Amex–95–39, SR–CBOE–95–67, and SR–Phlx–95–76) are approved, as amended.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[25]

Jonathan G. Katz,

Secretary.

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[Release No. 34–37017; File No. SR–Amex–96–03]

Self-Regulatory Organizations; American Stock Exchange, Inc.; Order Approving Proposed Rule Change by the American Stock Exchange, Inc. Relating to the Listing and Trading of Options and Long-Term Options on the Networking Index and Long-Term Options on a Reduced-Value Networking Index

March 22, 1996.

I. Introduction

On January 23, 1996, the American Stock Exchange, Inc. (''Amex'' or ''Exchange'') submitted to the Securities

[23] 15 U.S.C. § 78s(b)(2) (1988).

[24] 15 U.S.C. § 78s(b)(2) (1988).

[25] 17 CFR § 200.30–3(a)(12) (1994).

and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to provide for the listing and trading of index options on The Networking Index (''Index''). Notice of the proposed rule change appeared in the Federal Register on February 13, 1996.[3] No comment letters were received on the proposed rule change. This order approves the Exchange's proposal.

II. Description of Proposal

A. General

The Amex proposes to trade options on The Networking Index, a modified equal-dollar weighted index developed by the Amex comprised of 15 computer and telecommunication networking stocks which are traded on the Amex, the New York Stock Exchange, Inc. (''NYSE''), or through the facilities of the National Association of Securities Dealers Automated Quotation system and are reported national market system securities (''NASDAQ/NMS''). In addition, the Amex proposes to amend rule 901C, Commentary .01, to reflect that 90% of the Index's numerical value will be accounted for by stocks that meet the current criteria and guidelines set forth in Rule 915.

B. Eligibility Standards for Index Components

The Networking Index currently conforms with Exchange Rule 901C, which specifies criteria for inclusion of stocks in an index on which standardized options will be traded. In addition, the Index also currently conforms to all the criteria set forth in Rule 901C, Commentary .02, which provides for the commencement of trading of options on an index thirty days after the date of filing, with the exception that the Index is calculated using a modified version of the equal-dollar weighting method. Therefore, the component securities all meet the following eligibility standards: (1) They are traded on the Amex or NYSE, or are NASDAQ/NMS securities; (2) component stocks comprising the top 90% of the Index by weight have a minimum market capitalization of $75 million, and those component stocks constituting the botton 10% of the Index by weight have a market capitalization of at least $50 million; and (3) stocks constituting the top 90% of the Index by weight have minimum monthly volume of 1,000,000 shares over the six months preceding this filing, and stocks constituting the bottom 10% of the Index by weight have a minimum monthly volume of at least 500,000 shares over the six months preceding this filing.

C. Index Calculation

The Index is calculated using a ''modified equal-dollar weighting'' methodology. Four of the fifteen component securities are given higher weightings to reflect their higher market capitalizations relative to the rest of the group, while not allowing their weightings to dominate the Index to the extent they would in a straight market capitalization weighted Index. According to the Amex, this method of cacluation is important given the great disparity in market value of a few of the Index's components. It has been the Exchange's experience that options on market value weighted indexes dominated by relatively few component stocks are less useful to investors, since the index will tend to represent these few components and not the industry as a whole. At the same time, the increase in Index weight for the smaller, less liquid stocks is lower than if the index had been straight equal-dollar weighted; and the decrease in Index weight of the larger, more liquid stocks also is less dramatic than using straight equal-dollar weighting.

The following is a description of how the modified equal-dollar weighting calculation method works. As of the market close on October 20, 1995, a portfolio of networking stocks was established representing an investment of $12,000 in each of the four most highly capitalized securities in the Index and $4,727.27 in each of the 11 remaining stocks (rounded to the nearest whole share). The value of the Index equals the current market value (i.e., based on U.S. primary market prices) of the sum of the assigned number of shares of each of the stocks in the Index portfolio divided by the Index divisor. The Index divisor was initially determined to yield the benchmark value of 200.00 at the close of trading on October 20, 1995. Each quarter thereafter, following the close of trading on the third Friday of January, April, July and October, the Index portfolio will be ranked in descending market capitalization order and the Index portfolio adjusted by changing the number of whole shares of each component stock so that the four largest capitalized stocks in the Index each represents 12% of the Index value for a total of 48%, and the remaining 52% of the Index value is evenly distributed over the remaining securities. At the inception of the Index, each of the remaining 11 components had a weight of approximately 4.73%. The Exchange has chosen to rebalance following the close of trading on the quarterly expiration cycle because it allows an option contract to be held for up to three months without a change in the Index portfolio being effected, while at the same time maintaining the equal-dollar weighting feature of the Index. If necessary, a divisor adjustment is made at the rebalancing to ensure continuity of the Index's value. The newly adjusted portfolio becomes the basis for the Index's value on the first trading day following the quarterly adjustment.

As noted above, the number of shares of each component stock in the Index portfolio remain fixed between quarterly reviews except in the event of certain types of corporate actions such as the payment of a dividend other than an ordinary cash dividend, stock distribution, stock split, reverse stock split, rights offering, distribution, reorganization, recapitalization, or similar event with respect to the component stocks.[4] In a merger or consolidation of an issuer of a component stock, if the stock remains in the Index, the number of shares of that security in the portfolio may be adjusted, to the nearest whole share, to maintain the component's relative weight in the Index at the level immediately prior to the corporate action. In the event of a stock replacement, the average dollar value of the remaining portfolio components in the same weighting tier of the stock being replaced (*i.e.*, either the top four stocks by market capitalization as of the last rebalance, or the remaining stocks) will be calculated and that amount invested in the stock of the new component, to the nearest whole share. In all cases, the divisor will be adjusted, if necessary, to ensure Index continuity.

Similar to other stock index values published by the Exchange, the value of the Index will be calculated continuously and disseminated every 15 seconds over the Consolidated Tape Association's Network B.

D. Maintenance of the Index

The Exchange will review the Index quarterly,[5] and maintain it so that: (1) The total number of component securities will not increase or decrease by more than 33⅓% from the number

[1] 15 U.S.C. § 78s(b)(1) (1988).

[2] 17 CFR 240.19b–4 (1994).

[3] *See* Securities Exchange Act Release No. 36812 (February 6, 1996), 61 FR 5590.

[4] Telephone conversation between Claire McGrath, Managing Director and Special Counsel, Amex, and Francois Mazur, Attorney, Office of Market Supervision, Division of Market Regulation, Commission, on February 2, 1996.

[5] *Id.*

of components in the Index at the time of its initial listing, and in no event will the Index have fewer than nine components; (2) component stocks constituting the top 90% of the Index by weight will have a minimum market capitalization of $75 million and the component stocks constituting the bottom 10% of the Index by weight will have a minimum market capitalization of $50 million; (3) the monthly trading volume for each of the past six months [6] for each component security shall be at least 500,000 shares, or, for each of the lowest weighted components in the Index that in the aggregate account for no more than 10% of the weight of the Index, the monthly trading volume shall be at least 400,000 shares; (4) no single component will represent more than 25% of the weight of the Index and the five highest weighted components will represent no more than 60% of the Index at each quarterly rebalancing; and (5) at least 90% of the index's numerical index value and at least 80% of the total number of component securities individually will meet the then current criteria for standardized option trading set forth in Exchange rule 915;[7]

The Exchange will notify promptly Commission staff at any time it determines that the Index fails to satisfy any of the foregoing maintenance critera. Moreover, in such an event, the Exchange shall not open for trading any additional option series, unless such failure is determined by the Exchange not to be significant and Commission staff concurs in that determination.

E. Expiration and Settlement

The proposed options on the Index will be European style (i.e., exercises permitted at expiration only), and cash settled. Standard option trading hours (9:30 a.m. to 4:10 p.m. New York time) will apply. Networking Index options will expire on the Saturday following the third Friday of the expiration month (''Expiration Friday''). The last trading day in an expiring option series normally will be the second to last business day preceding the Saturday following the third Friday of the expiration month (normally a Thursday). Trading in expiring options will cease at the close of trading on the last trading day.

The Exchange plans to list options series with expirations in the three near-term calendar months and in the two additional calendar months in the January cycle. In addition, longer term option series having up to thirty-six months to expiration may be traded. In lieu of such long-term options on a full-value Index level, the Exchange may instead list long-term, reduced-value put and call options based on one-tenth (1⁄10th) the Index's full value. In either event, the interval between expiration months for either a full-value or reduced-value long-term option will be not less than six months. The trading of any long-term options would be subject to the same rules which goven the trading of all the Exchange's index options, including sales practice rules, margin requirements and floor trading procedures, and all options will have European style exercise. Position limits on reduced-value long-term Networking Index options will be equivalent to the position limits for regular (full-value) Index options and would be aggregated with such options (for example, if the position limit for the full-value options is 9,000 contracts on the same side of the market, then the position limit for the reduced-value options will be 90,000 contracts on the same side of the market).

The exercise settlement value for all of the Index's expiring options will be calculated based upon the primary exchange regular way opening sale prices for the component stocks. In the case of securities traded through the NASDAQ/NMS, the first reported regular way sale price will be used. If any component stock does not open for trading on its primary market on the last trading day before expiration, then the prior day's last sale price will be used in the calculation.

F. Exchange Rules Applicable to Stock Index Options

The Index is deemed to be a Stock Index Option under Rule 901C(a) and a Stock Index Industry Group under Rule 900C(b)(1). Exchange rules governing margin requirements, position and exercise limits, and trading halt procedures applicable to the trading of narrow-based index options will apply to options traded on the Index. For example, the Exchange expects that the review required by Rule 904C(c) will result in a position limit of 9,000 contracts with respect to options on the Index. Surveillance procedures currently used to monitor trading in each of the Exchange's other index options also will be used to monitor trading in options on The Networking Index. With respect to Rule 903C(b), the Exchange proposes to list near-the-money option series on the Index at 2½ point strike (exercise) price intervals when the value of the Index is below 200 points.

G. Surveillance

Surveillance procedures currently used to monitor trading in each of the Exchange's other index options also will be used to monitor trading in Index options and full-value and reduced-value Index long-term options. Further, the Intermarket Surveillance Group (''ISG'') Agreement, dated July 14, 1983, as amended on January 29, 1990, will be applicable to the trading of options on the Index.[8]

III. Findings and Conclusions

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5).[9] Specifically, the Commission finds that the trading of Networking Index options, including full-value and reduced-value long-term Index options, will serve to promote the public interest and help to remove impediments to a free and open securities market by providing investors with an additional means to hedge exposure to market risk associated with stocks in the networking industry.[10]

[6] *Id.*

[7] Currently, all Index component securities are the subject of standardized options trading.

[8] ISG was formed on July 14, 1983 to, among other things, coordinate more effectively surveillance and investigative information sharing arrangements in the stock and options markets. *See* Intermarket Surveillance Group Agreement, July 14, 1983. the most recent amendment to the ISG Agreement, which incorporates the original agreement and all amendments made thereafter, was signed by ISG members on January 29, 1990. *See* Second Amendment to the Intermarket Surveillance Group Agreement, January 29, 1990. The members of the ISG are: the Amex; the Boston Stock Exchange, Inc.; the Chicago Board Options Exchange, Inc.; the Chicago Stock Exchange, Inc.; the National Association of Securities Dealers, Inc. (''NASD''); the NYSE; the Pacific Stock Exchange, Inc.; and the Philadelphia Stock Exchange, Inc. Because of potential opportunities for trading abuses involving stock index futures, stock options, and the underlying stock; and the need for greater sharing of surveillance information for these potential intermarket trading abuses, the major stock index futures exchanges (*e.g.*, the Chicago Mercantile Exchange and the Chicago Board of Trade) joined the ISG as affiliate members in 1990.

[9] 15 U.S.C. § 78f(b)(5) (1988).

[10] Pursuant to Section 6(b)(5) of the Act, the Commission must predicate approval of any new option proposal upon a finding that the introduction of such new derivative instrument is in the public interest. Such a finding would be difficult for a derivative instrument that served no hedging or other economic function, because any benefits that might be derived by market participants likely would be outweighed by the potential for manipulation, diminished public confidence in the integrity of the markets, and other valid regulatory concerns. In this regard, the trading of listed options on the Index will provide investors with a hedging vehicle that should reflect the overall movement of the stocks representing companies in the networking sector in the U.S. stock markets.

The trading of options on The Networking Index and on a reduced-value Index, however, raises several issues relating to index design, customer protection, surveillance, and market impact. The Commission believes, for the reasons discussed below, that the Amex has addressed these issues adequately.

A. Index Design and Structure

The Commission believes it is appropriate for the Exchange to designate the Index as a narrow-based index for purposes of index options trading. The Index is comprised of 15 stocks intended to track the networking sector of the stock market. The Commission also finds that the reduced-value Index is a narrow-based index because it is composed of the same component securities as the Index, and merely dividing the Index value by ten will not alter its basic character. Accordingly, the Commission believes that it is appropriate for the Amex to apply its rules governing narrow-based index options to trading in the Index options and long-term full-value and reduced-value Index options.[11]

The Commission also believes that the large capitalizations, liquid markets, and relative weightings of the Index's component stocks significantly minimize the potential for manipulation of the Index. First, the stocks that comprise the Index are actively traded, with a mean and median average monthly trading volume for the period between July 1995 and December 1995 of 22.9 million and 10.0 million shares, respectively. Second, the market capitalizations of the stocks in the Index are very large, ranging from a high of $20.9 billion to a low of $1.3 billion as of January 2, 1996, with the mean and median being $5.5 billion and $3.6 billion, respectively. Third, because the index is modified equal dollar-weighted, as described above, no one particular stock or group of stocks dominates the Index. Specifically, as of January 2, 1996, no one stock accounted for more than 13.94% of the Index's total value and the percentage weighting of the five highest weighted stocks in the Index accounted for 50.63% of the Index's value.

Fourth, the proposed maintenance criteria will serve to ensure that: (1) The Index remains composed substantially of liquid highly capitalized securities; and (2) the Index is not dominated by one or several securities that do not satisfy the Exchange's options listing criteria. Specifically, in considering changes to the composition of the Index, 90% of the weight of the Index and 80% of the number of components in the Index must at all times comply with the listing criteria for standardized options trading set forth in Amex Rule 915.

The Amex will notify Commission staff promptly at any time the Amex determines that the Index fails to satisfy any of the foregoing maintenance criteria.[12] Further, in such an event, the Exchange will not open for trading any additional series of Index options or Index long-term options unless the Exchange determines that such failure is not significant, and Commission staff concurs in the determination.

Finally, the Commission believes that the existing mechanisms to monitor trading activity in the component stocks of the Index, or options on those stocks, will help deter as well as detect any illegal activity.

B. Customer Protection

The Commission believes that a regulatory system designed to protect public customers must be in place before the trading of sophisticated financial instruments, such as Index options (including full-value and reduced-value long-term Index options), can commence on a national securities exchange. The Commission notes that the trading of standardized exchange-traded options occurs in an environment that is designed to ensure, among other things, that: (1) The special risks of options are disclosed to public customers; (2) only investors capable of evaluating and bearing the risks of options trading are engaged in such trading; and (3) special compliance procedures are applicable to options accounts. Accordingly, because the Index options and Index long-term full-value and reduced-value options will be subject to the same regulatory regime as the other standardized index options currently traded on the Amex, the Commission believes that adequate safeguards are in place to ensure the protection of investors in Index options and full-value or reduced-value Index long-term options.

C. Surveillance

The Commission believes that a surveillance sharing agreement between an exchange proposing to list a stock index derivative product and the exchange(s) trading the stocks underlying the derivative product is an important measure for surveillance of the derivative and underlying securities markets. Such agreements ensure the availability of information necessary to detect and deter potential manipulations and other trading abuses, thereby making the stock index product less readily susceptible to manipulation.[13] In this regard, the Commission notes that the Amex, NYSE, and NASD are all members of the ISG.[14] The Commission believes that this arrangement ensures the availability of information necessary to detect and deter potential manipulations and other trading abuses, thereby making the Index options and full-value and reduced-value long-term Index options less readily susceptible to manipulation.[15]

D. Market Impact

The Commission believes that the listing and trading of Index options, including full-value and reduced-value Index LEAPS on the Amex, will not adversely affect the underlying securities markets. First, because of the ''modified equal dollar-weighting'' method that will be used, as described above, no one security or group of securities represented in the Index will dominate the weight of the Index immediately following a quarterly rebalancing. Second, the Index maintenance criteria ensure that the Index will be substantially comprised of securities that satisfy the Exchange's listing standards for standardized options trading, and that one or a few stocks do not dominate the Index. Third, the currently applicable 9,000 contract position and exercise limits will serve to minimize potential manipulation and market impact concerns. Fourth, the risk to investors of contra-party non-performance will be minimized because the Index options and Index long-term options will be issued and guaranteed by the Options Clearing Corporation just like any other standardized option traded in the United States.

Lastly, the Commission believes that settling expiring Networking Index options (including full-value and reduced-value long-term Index options) based on the opening prices of component securities is reasonable and consistent with the Act. As has been noted previously, valuing index options for exercise settlement on expiration based on opening rather than closing

[11] *See supra* Section II.F.

[12] Telephone Conversation between Howard A. Baker, Senior Vice President, Derivative Securities, Administration & Research, Amex, and Francois Mazur, Attorney, Office of Market Supervision, Division of Market Regulation, on March 20, 1996.

[13] *See* Securities Exchange Act Release No. 31243 (September 28, 1992), 57 FR 45849.

[14] *See supra* note 8.

[15] *See, e.g.,* Securities Exchange Act Release No. 31243 (September 28, 1992), 57 FR 45849 (order approving the listing of index options and index LEAPS on the Chicago Board Options Exchange Biotech Index).

prices of index component securities may help to reduce adverse effects on markets for such securities.[16]

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[17] that the proposed rule change (SR–Amex–96–03), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[18]

Jonathan G. Katz,

Secretary.

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[Release No. 34–37008; Filed No. SR–Amex–95–53]

Self-Regulatory Organizations; American Stock Exchange, Inc.; Order Approving Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval of Amendment No. 2 Thereto by the American Stock Exchange, Inc., Relating to Options on the Morgan Stanley Healthcare Product Companies Index, the Morgan Stanley Healthcare Providers Index and the Morgan Stanley Healthcare Payors Index

March 21, 1996.

I. Introduction

On December 19, 1995, the American Stock Exchange, Inc. (''Amex'' or ''Exchange'') submitted to the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to provide for the listing and trading of index options on three new indexes developed by Morgan Stanley & Co. Incorporated (''Morgan Stanley'') relating to three different subsectors within the healthcare sector: the Morgan Stanley Healthcare Providers Index (''Providers Index''); the Morgan Stanley Healthcare Payors Index (''Payors Index''); and the Morgan Stanley Healthcare Product Companies Index (''Product Companies Index'') (collectively the ''Indexes''). On January 2, 1996, the Amex filed Amendment No. 1 to its proposal.[3] Notice of the proposed rule change and Amendment No. 1 appeared in the Federal Register on January 23, 1996.[4] No comment letters were received on the proposed rule change. On March 20, 1996, the Exchange filed Amendment No. 2.[5] This order approves the Amex's proposal as amended.

II. Description of Proposal

A. General

The Amex proposes to trade standardized options on the Indexes, each of which is comprised of stocks that are traded on the Amex, the New York Stock Exchange, Inc. (''NYSE''), or are National Market securities traded through Nasdaq. In addition, the Amex proposes to amend Amex Rule 902C(d) to include the Amex proposes to amend Amex Rule 902C(d) to include the Indexes in the disclaimer provisions of that rule.[6] The Amex also proposes to list long-term options on the Indexes having up to 36 months to expiration. In lieu of such long-term options on the full value of the Indexes, the Amex may instead list long-term options based on one-tenth of the value of each of the Indexes. These long-term options on either the full or reduced-value of the Indexes are referred to as ''LEAPS.'' LEAPS on the Indexes will trade independent of and in addition to regular Index options traded on the Exchange. However, as discussed below, position and exercise limits of LEAPS on the Indexes (both full and reduced-value) and regular options on the Indexes will be aggregated.

B. Composition of the Indexes

The Indexes have been developed by Morgan Stanley to represent a portfolio of large, actively traded, healthcare sector stocks. As of December 1, 1995, the Providers Index was comprised of 15 stocks of companies engaged in the hospital management and medical/nursing services industries, with market capitalizations ranging from $494 million to $23 billion, and six month average daily trading volumes ranging from 95,000 to 995,000 shares. The market capitalization of all of the stocks in the Providers Index on that date was approximately $45.2 billion. The total number of shares outstanding for the stocks in the Providers Index ranged from 19 million shares to 445 million shares.

The Payor's Index, as of December 1, 1995, was comprised of 12 stocks of companies conducting business in the managed health care and health industry services industries, with market capitalizations ranging from $622 million to $10 billion and six month average daily trading volumes ranging from 170,000 to 1,700,000 shares. The market capitalization of all of the stocks in the Payor's Index on that date was approximately $36.3 billion. The total number of shares outstanding for the stocks in the Payor's Index ranged from 18 million shares to 174 million shares.

Finally, as of this same date, the Product Companies Index was comprised of 25 equity issues of companies engaged in the major pharmaceuticals, biotechnology, medical specialities, medical electronics, and medical/dental distributors industries. The market capitalizations of these 25 companies range from $1.6 billion to $56.1 billion and the six month average daily trading volumes range from 124,000 to 2,800,000 shares. The market capitalization of all the stocks in the Product Companies Index on that date was approximately $475 billion. The total number of shares outstanding for the stocks in the Product Companies Index ranged from 29 million shares to 1.5 billion shares.

The Exchange will use an ''equal dollar-weighted'' method to calculate the value of each of the Indexes.[7] The

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[16] *See* Securities Exchange Act Release No. 30944 (July 21, 1992), 57 FR 33376 (July 28, 1992).

[17] 15 U.S.C. 78s(b)(2) (1988).

[18] 17 CFR 200.30–3(a)(12) (1994).

[1] 15 U.S.C. § 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] In Amendment No. 1, the Amex states that for each of the Indexes, if at any time between annual rebalancings, the top five stocks in an Index by weight represent in the aggregate more than 60 percent of the Index's value, the Exchange will rebalance the Index after the close of trading on Expiration Friday in the next month in the March cycle. *See* Letter from Claire P. McGrath, Managing Director and Special Counsel, Derivatives Securities, Amex, to Michael Walinskas, Branch Chief, Office of Market Supervision (''OMS''), Division of Market Regulation (''Division''), Commission, dated January 2, 1996 (''Amendment No. 1'').

[4] *See* Securities Exchange Act Release No. 36715 (January 16, 1996), 61 FR 1796 (January 23, 1996).

[5] In Amendment No. 2 the Exchange clarifies that for each of the Indexes, both eligibility standards and maintenance criteria require that upon annual rebalancing, at least 90 percent of each Index's numerical value and 80 percent of the total number of component securities must meet the then current criteria for standardized options trading set forth in either Exchange Rule 915 for component securities not currently the subject of standardized options trading or Exchange Rule 916 for components currently the subject to standardized options trading. In addition, stocks on each quarterly replacement list will be selected and ranked by Morgan Stanley based on a number of criteria, including conformity to Exchange Rule 915 for securities not currently the subject of standardized options trading and conformity to Rule 916 for securities currently the subject of standardized options trading. *See* Letter from Clifford J. Weber, Managing Director, New Products Development, Amex, to Michael Walinskas, Branch Chief, OMS, Division, Commission, dated March 20, 1996 (''Amendment No. 2'').

[6] Amex Rule 902C(d) provides, among other things, that Morgan Stanley does not guarantee the accuracy or completeness of the Indexes or any data included therein, nor does Morgan Stanley make any warranty, either express or implied, as to the results to be obtained by any person or entity from the use of the Indexes or any data included therein.

[7] *See infra* Section II.D entitled ''Calculation of the Indexes'' for a description of this calculation method.

Indexes were each initialized at a level of 200 as of the close of trading on December 16, 1994. As of the close of trading on February 27, 1996, the Providers Index, the Payors Index, and the Product Companies Index were valued at 306.66, 260.46, and 357.07, respectively.[8]

C. Eligibility Standards for the Inclusion of Component Stocks in the Indexes

The Amex represents that the Indexes conform with Exchange Rule 901C, which specifies criteria for the inclusion of stocks in an index on which standardized options will be traded on the Exchange. In addition, for each of the Indexes, Morgan Stanley has included, and will include, only those stocks that initially meet the following standards: (1) a minimum price of $7.50 at the time of announcement of entry into the Index; (2) a minimum market capitalization of $75 million; (3) average monthly trading volume in the component security of at least one million shares during the preceding six months; (4) each component security must be traded on the Amex, NYSE or must be a National Market security traded through the facility of Nasdaq; and (5) upon annual rebalancing, at least 90% of the Index numerical value and at least 80% of the total number of component securities must meet the then current criteria for standardized option trading set forth in Exchange Rule 915 for component securities not currently the subject of standardized options trading and Rule 916 for components which currently are the subject of standardized options trading.[9] Also, because the Indexes are equal-dollar weighted, no component security will represent more than 25% of the weight of any of the Indexes, nor will the five highest weighted component securities in any of the Indexes, in the aggregate, account for more than 60% of the weight of that Index upon annual rebalancing. The criteria set forth above are the same as or exceed many of the criteria established for the expedited listing of options on stock industry indexes pursuant to Exchange Rule 901C Commentary .02.

D. Calculation of the Indexes

The Indexes will be calculated using an ''equal dollar-weighted'' methodology designed to ensure that each of the component stocks are represented in approximately ''equal'' dollar amounts in each Index. In calculating the initial ''equal dollar-weighting'' of component stocks, the Amex, using closing prices on December 16, 1994, calculated the number of shares that would represent an investment of $300,000 in each of the stocks contained in the Indexes (to the nearest whole share). The value of each Index equals the current market value (*i.e.*, based on U.S. primary market prices) of the sum of the assigned number of shares of each of the stocks in the Index portfolio divided by the current Index divisor. Each Index divisor was initially calculated to yield a benchmark value of 200.00 at the close of trading on December 16, 1994. Annually thereafter, following the close of trading on the third Friday of December, each Index portfolio will be adjusted by changing the number of whole shares of each component stock so that each company is again represented in ''equal'' dollar amounts.[10] If necessary, a divisor adjustment is made at the rebalancing to ensure continuity of an Index's value. The newly adjusted portfolio becomes the basis for the Index's value on the first trading day following the annual adjustment.

Subject to the maintenance criteria discussed below, for each Index the number of shares of each component stock in such Index will remain fixed between annual reviews except in the event of certain types of corporate actions, such as the payment of a dividend (other than an ordinary cash dividend), stock distribution, stock split, reverse stock split, rights offering, distribution, reorganization, recapitalization, or similar event with respect to an Index component stock. In a merger or consolidation of an issuer of a component security, if the security remains in the Index, the number of shares of that security will be adjusted, if necessary, to the nearest whole share, to maintain the component's relative weight in the Index at the level immediately prior to the corporate action. In the event of a stock replacement, the dollar value of the security being replaced will be calculated and that amount invested in the stock of the new component, to the nearest whole share. In all cases, the divisor will be adjusted, if necessary, to ensure Index continuity.

Additionally, for each of the Indexes, if at any time between annual rebalancings, the top five stocks in the Index by weight represent in the aggregate more than 60% of the Index's value, the Exchange will rebalance the Index after the close of trading on expiration Friday in the next month in the March cycle. For example, if in July it is determined that the top five components in the Morgan Stanley Healthcare Product Companies Index account for more than 60% of the Index's weight, then the Index will be rebalanced after the close of trading on expiration Friday in September.[11]

Similar to other stock index values published by the Exchange, the value of each Index will be calculated continuously and disseminated every 15 seconds over the Consolidated Tape Association's Network B and to the Options Price Reporting Authority (''OPRA'').

E. Maintenance of the Indexes

The Indexes will be calculated and maintained by the Amex in consultation with Morgan Stanley which may, from time to time, suggest changes in the industry categories represented in any or all of the Indexes or changes in the number of component stocks in an industry category to properly reflect the changing conditions in the healthcare sector. In addition, the Amex will replace component securities in each Index that fail to meet the following maintenance criteria on quarterly review: (1) a minimum market capitalization of $75 million; (2) average monthly trading volume in the component security of at least 500,000 shares during the preceding six months; (3) at least 90% of the Index's numerical value and at least 80% of the total number of component securities meet the then current criteria for standardized option trading set forth in Exchange Rule 915 for securities not currently the subject of standardized options trading and Rule 916 for securities which are currently the subject of standardized options trading;[12] and (4) a share price of $5.00 or greater for a majority of business days during the preceding quarter for those limited number of component securities that do not meet Rule 915 or 916.[13]

At the beginning of each calendar quarter, Morgan Stanley will provide the Amex with a current list of replacement stocks for each Index from which to draw in the event that a component in an Index must be replaced due to merger, takeover, failure to satisfy the above maintenance

[8] *See* Letter from Clarie P. McGrath, Managing Director and Special Counsel, Derivative Securities, to Michael Walinskas, Branch Chief, OMS, Division, Commission, dated February 28, 1996.

[9] *See* Amendment No. 2, *supra* note 5.

[10] In certain circumstances, each Index will be rebalanced prior to the end of a calendar year. *See infra* Section II.E. (Maintenance of the Indexes).

[11] *See* Amendment No. 1, *supra* note 3.

[12] *See* Amendment No. 2, *supra* Note 5.

[13] Telephone conversation between Clifford J. Weber, Managing Director, New Products Development, Amex, and James T. McHale, Attorney, OMS, Division, Commission, on March 19, 1996.

criteria, or other similar event (each a ''Replacement List'').[14] The Amex will publicly distribute the Replacement Lists as soon as practicable following receipt from Morgan Stanley.

Stocks on each Replacement List will be selected and ranked by Morgan Stanley based on a number of criteria, including conformity to the eligibility requirements described above [15] and to Exchange Rule 915 for component securities not currently the subject of standardized options trading and Rule 916 for components which are currently the subject of standardized options trading.[16] Rules 915 and 916, respectively, set forth the criteria for the initial and continued listing of standardized options on equity securities. The replacement stocks will be categorized by Morgan Stanley by industry within the healthcare sector and ranked within their category based on the aforementioned criteria. The replacement stock for a security being removed from an Index will be selected solely by the Amex from the Replacement List based on industry category and liquidity.[17] In the event no replacement stocks are available that meet the eligibility criteria and pass Morgan Stanley's selection process, then the security leaving the Index will be removed without replacement and the divisor adjusted to ensure Index continuity. It is expected that each Index will remain at the current number of components; however, if the number of components in an Index shall increase or decrease by more than one third, the Exchange must obtain additional approval from the Commission pursuant to Section 19(b) of the Act.

In addition, Morgan Stanley will advise the Exchange regarding the handling of unusual corporate actions which may arise from time to time. Routine corporate actions (*e.g.*, stock splits, routine spinoffs, etc.) which require straightforward index divisor adjustments will be handled by the Exchange's staff without consultation with Morgan Stanley. All stock replacements and unusual divisor adjustments caused by the occurrence of extraordinary events such as dissolution, merger, bankruptcy, non-routine spinoffs, or extraordinary dividends will be made by Exchange staff in consultation with Morgan Stanley, although the Amex ultimately will select the actual replacement stock from the Replacement List without Morgan Stanley's assistance. All stock replacements and the handling of non-routine corporate actions will be announced at least ten business days in advance of such effective change, whenever practicable. As with all options currently trading on the Amex, the Exchange will make this information available to the public through the dissemination of an information circular.

F. Expiration and Settlement

The Index value for purposes of settling outstanding Index options and Index LEAPS contracts upon expiration will be calculated based upon the regular way opening sale prices for each of an Index's component stocks in their primary market on the last trading day prior to expiration. In the case of National Market securities traded through Nasdaq, the first reported sale price will be used. Once all of the component stocks have opened for trading, the value of each Index will be determined and that value will be used as the final settlement value for expiring Index options contracts. If any of the component stocks do not open for trading on the last trading day before expiration, then the prior trading day's (*i.e.,* Thursday's) last sale price will be used to calculate each Index. In this regard, before deciding to use Thursday's closing value of a component stock for purposes of determining the settlement value of an Index, the Amex will wait until the end of the trading day on expiration Friday.[18]

G. Contract Specifications

The proposed options on the Indexes will be cash-settled, European-style options.[19] Standard options trading hours for narrow-based index options (9:30 a.m. to 4:10 p.m. New York time) will apply to the contracts. The options on the Index will expire on the Saturday following the third Friday of the expiration month. The last trading day for an expiring option series will normally be the second to the last business day before expiration (normally a Thursday). The Exchange intends to list option series with expirations in the three near-term calendar months and the two additional calendar months in three month intervals in the March cycle. The Exchange also intends to list longer term option series having up to 36 months to expiration. The Exchange proposes to list near-the-money (i.e. strike prices within ten points above or below the current index value) option series on any of the Indexes at 2½ point strike price intervals when the value of that Index is below 200 points.

H. Listing of Long-Term Options on the Full Value or the Reduced Value of the Indexes

The proposal provides that the Exchange may list longer term index options series having up to 36 months to expiration on the full value of the Indexes. Alternatively, the Exchange may list long-term reduced-value put and call options based on ¹⁄₁₀th of the full value of the Indexes. In either event, the interval between expiration months for either a full value or reduced value long-term option will not be less than six months. The reduced-value Index LEAPS will also have a European-style exercise and will be subject to the same rules that govern the trading of all the Exchange's index options, including sales practice rules, margin requirements and floor trading procedures.

I. Position and Exercise Limits, Margin Requirements, and Trading Halts

Because the Indexes are Stock Index Options under Amex Rule 901C(a) and Stock Index Industry Groups under Rule 900C(b)(1), the proposal provides that Exchange rules that are applicable to the trading of narrow-based index options will apply to the trading of options on the Indexes. Specifically, Exchange rules governing margin requirements,[20] position and exercise limits,[21] and trading halt procedures [22] that are

[14] *See* Letter from Carol Shahmoon, Counsel, Morgan Stanley, to Michael Walinskas, Branch Chief, OMS, Division, Commission, dated March 20, 1996 (''Morgan Stanley Letter'').

[15] *See supra* Section II.C entitled ''Eligibility Standards for the Inclusion of Component Stocks in the Indexes.''

[16] *See* Amendment No. 2, *supra* Note 5.

[17] The Amex will ensure that at the time of selection it will only select securities that continue to meet the eligibility requirements discussed above.

[18] For purposes of the daily dissemination of the Indexes value, if a stock included in an Index has not opened for trading, the Amex will use the closing value of that stock in its primary market on the prior trading day when calculating the value of the Index, until the stock opens for trading.

[19] A European-style option can be exercised only during a specified period before the option expires.

[20] Pursuant to Amex Rule 462(d)(2)(D)(iv), the margin requirements for each of the proposed Index options will be: (1) for each short options position, 100% of the current market value of the options contract plus 20% of the underlying aggregate Index value, less any out-of-the-money amount, with a minimum requirement of the options premium plus 10% of the underlying Index value; and (2) for long options positions, 100% of the options premium paid.

[21] Pursuant to Amex Rules 904C and 905C, respectively, the position and exercise limits for each of the proposed Index options will be 12,000 contracts, unless the Exchange determines, pursuant to Rules 904C and 905C, that a lower limit is warranted.

[22] Pursuant to Amex Rule 918C, the trading of options on each of the Indexes will be halted or suspended whenever trading in underlying

applicable to the trading of narrow-based index options will apply to options traded on the Indexes. Position limits on long-term reduced-value Index options will be equivalent to the position limits for regular (full value) Index options and would be aggregated with such options. For aggregation purposes, ten reduced value contracts will equal one full value contract (for example, if the position limit for the full value options is 12,000 contracts on the same side of the market, then the position limit for the reduced value options will be 120,000 contracts on the same aside of the market).

J. Surveillance

Surveillance procedures currently used to monitor trading in each of the Exchange's other index options will also be used to monitor trading in options on the Indexes. These procedures include complete access to trading activity in the underlying securities. Further, the Intermarket Surveillance Group (''ISG'') Agreement, dated July 14, 1983, as amended on January 29, 1990, will be applicable to the trading of options on the Indexes.[23]

Morgan Stanley has also adopted special procedures to prevent the potential misuse of material, non-public information by the research, sales, and trading divisions of the firm in connection with the maintenance of the Indexes.[24] As discussed above, the Amex will publicly disseminate each Replacement List by issuing information circulars so that investors will know in advance which securities will be considered as replacements for the Index.[25]

In additional, Morgan Stanley will have a limited role in the stock replacement selection and substitution process. First, when a stock in an Index no longer meets the published criteria as determined following a quarterly review of the components by the Exchange, the Amex will determine, without consultation with Morgan Stanley, which security from the applicable Replacement List will be selected for addition to the Index. Second, The Amex will also make adjustments as a result of stock splits, routine spin-offs, and otherwise, without consultation with Morgan Stanley. Finally, even in those situations where the Amex consults with Morgan Stanley, upon the occurrence of certain events, the actual replacement sock will be selected solely by Amex from the stocks on the replacement list.

III. Findings and Conclusions

The Commission finds that the proposed rule change is consistent with the requirements of the act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5).[26] Specifically, the Commission finds that the trading of options on the Indexes, including full-value and reduced-value Index LEAPS, will serve to promote the public interest and help to remove impediments to a free and open securities market by providing investors with an additional means to hedge exposure to market risk associated with stocks in the various healthcare subsectors.[27]

The trading of options on the Indexes and reduced-value Indexes, however, raises several issues relating to index design, customer protection, surveillance, and market impact. The Commission believes, for the reasons discussed below, that the Amex adequately has assessed these issues.

A. Index Design and Structure

The Commission believes it is appropriate for the Exchange to designate each of the Indexes as narrow-based for purposes of index options training. The indexes are each comprised of a limited number of stocks intended to track discrete subsectors of the healthcare sector of the stock market. Accordingly, the Commission believes it is appropriate for the Amex to apply its rules governing narrow-based index options to trading in the proposed Index options.[28]

The Commission also believes that the liquid markets, large capitalizations, and relative weighings of the Indexes' component stocks significantly minimize the potential for manipulation of the Index. First, the stocks that comprise each index are actively traded. Average month trading volume in the component stocks of the Indexes for the period between June 1, 1995 and December 1, 1995 ranged from 95,000 to 995,000 shares for the Providers Index, 170,000 to 1,700,000 shares for the Payors Index, and 124,000 to 2,800,000 shares for the Product Companies Index. Second, the market capitalizations of the stocks in the Indexes are very large, ranging from $494 million to $23 billion in the Providers Index, $622 million to $10 billion in the Payors Index, and $1.6 billion to $56 billion in the Product Companies Index. Third, because the indexes are equal dollar-weighted, no one particular stock or group of stocks dominates the index. Specifically, as of December 1, 1995, no one stock accounted for more than 12.13% of the total value of the Providers Index, 12.47% of the total value of the Payors Index, and 6.38% of the total value of the Product Companies Index. Fourth, the Indexes will be maintained so that in addition to the other maintenance criteria discussed above, at each quarterly review and rebalancing (annual or otherwise), at least 90% of the Indexes numerical value and at least 80% of the total number of component securities will be composed of securities eligible for standardized options trading. Fifth, Morgan Stanley and the Amex will be required to ensure that each component of each Index is subject to last sale reporting requirements in the U.S. pursuant to Rule 11aA3–1 of the Act. This will further reduce the potential for manipulation of the value of the Indexes. Finally, the Commission believes that the existing mechanisms to monitor trading activity in the component stocks of the Indexes, or options on those stocks or the Indexes will help deter as well as detect any illegal activity.

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securities whose weighted value represents more than 20% of an Index's value are halted or suspended.

[23] ISG was formed on July 14, 1983 to, among other things, coordinate more effectively surveillance and investigative information sharing arrangements in the stock and options markets. *See* Intermarket Surveillance Group Agreement, July 14, 1983. The most recent amendment to the ISG Agreement, which incorporates the original agreement and all amendments made thereafter, was signed by ISG members on January 29, 1990. *See* Second Amendment to the Intermarket Surveillance Group Agreement, January 29, 1990. The members of the ISG are: the Amex; the Boston Stock Exchange, Inc.; the Chicago Board Options Exchange, Inc.; the Chicago Stock Exchange, Inc.; the National Association of Securities Dealers, Inc.; the NYSE; the Pacific Stock Exchange, Inc.; and the Philadelphia Stock Exchange, Inc. Because of potential opportunities for trading abuses involving stock index futures, stock options, and the underlying stock, and the need for greater sharing of surveillance information for these potential intermarket trading abuses, the major stock index futures exchanges (*e.g.*, the Chicago Mercantile Exchange and the Chicago Board of Trade) joined the ISG as affiliate members in 1990.

[24] *See* Morgan Stanley Letter, *supra* note 14.

[25] *Id.*

[26] 15 U.S.C. § 78f(b)(5).

[27] Pursuant to Section 6(b)(5) of the Act, the Commission must predicate approval of any new option proposal upon a finding that the introduction of such new derivative instrument is in the public interest. Such a finding would be difficult for a derivate instrument that served no hedging or other economic function, because any benefits that might be derived by market participants likely would be out weighed by the potential for manipulation, diminished public confidence in the integrity of the markets, and other valid regulatory concerns. In this regard, the trading of listed options on the Index will provide investors with a hedging vehicle that should reflect the overall movement of the stocks representing companies in the healthcare sector in the U.S. stock markets.

[28] *See supra* Section II.I (Position and Exercise Limits, Margin Requirements, and Trading Halts).

In addition, even though the Indexes are only scheduled to be rebalanced annually, the Commission believes that the Amex and Morgan Stanley have developed several composition and maintenance criteria for the Indexes that will minimize the possibility that the Indexes could be manipulated through trading in less actively traded securities or securities with smaller prices or floats. First, if at any time during the year the top five components in an Index, by weight, account for more than sixty percent of the weight of the Index, the Exchange will rebalance the Index following the close of trading on Expiration Friday in the next month in the March cycle. These rebalancing requirements will serve to ensure that any ''overweight'' stock [29] will be brought back into line with the other stocks, thus ensuring that less capitalized stocks do not become excessively weighted in the Index.

Second, after each quarterly review and each rebalancing (annual or otherwise), at least 90% of an Index's numerical value and at least 80% of the total number of component securities will be comprised of stocks that are eligible for standardized options trading. The Commission believes that this requirement will ensure that the Indexes will be almost entirely made up of stocks with large public floats that are actively traded, thus reducing the likelihood that the Indexes could be easily manipulated by abusive trading in the smaller stocks contained in the Indexes.

Third, at each quarterly review of the Indexes, a component may only remain in an Index if it satisfies the remaining maintenance requirements which include market capitalization and minimum trading volume requirements.[30] These requirements are similar to the continued listing requirements for options on individual equity securities and should ensure the Indexes are comprised of active and liquid securities.[31]

Fourth, because the Indexes are narrow-based, the applicable position and exercise limits (currently 12,000) and margin requirements will further reduce the susceptibility of the Indexes to manipulation. Lastly, Morgan Stanley will only add stocks to a Replacement List that are representative of the healthcare sector and, as discussed above,[32] satisfy the inclusion criteria.

The Commission notes that certain concerns are raised when a broker-dealer, such as Morgan Stanley, is involved in the development and maintenance of a stock index that underlies an exchange-traded derivative product. For several reasons, however, the Commission believes that the Amex has adequately addressed this concern with respect to options on the Indexes.

First, the values of the Indexes are to be calculated and disseminated by the Amex so that unless a party independently calculates the Indexes' values, neither Morgan Stanley nor any other party will be in receipt of the values prior to the public dissemination of the Indexes' values. Second, routine corporate actions (*e.g.*, stock splits, routine spinoffs, etc.) will be handled by the Amex without consultation with Morgan Stanley. Third, although stock replacements and unusual divisor adjustments caused by the occurrence of extraordinary events, such as dissolution, merger, bankruptcy, non-routine spinoffs, or extraordinary dividends, will be made by Exchange staff in consultation with Morgan Stanley, Amex alone ultimately will select the actual replacement stock from the Replacement List without Morgan Stanley's assistance. Such replacement will be announced publicly at least 10 business days in advance of the effective change by the Amex through the dissemination of an information circular, whenever practicable. Fourth, the Commission believes that the procedures Morgan Stanley has established to detect and prevent material non-public information concerning the Indexes from being improperly used by the person or persons responsible for compiling the Replacement Lists, as well as other persons within Morgan Stanley, as discussed above,[33] adequately serve to minimize the susceptibility to manipulation of the Indexes, the securities in the Indexes, and securities added to and deleted from any Replacement List. In summary, the Commission believes that the procedures outlined above help to ensure that Morgan Stanley will not have any informational advantages concerning modifications to the composition of the Indexes due to its limited role in consulting with Amex on the maintenance of the Indexes under certain circumstances.

B. Customer Protection

The Commission believes that a regulatory system designed to protect public customers must be in place before the trading of sophisticated financial instruments, such as options on the Indexes (including full-value and reduced value LEAPS), can commence on a national securities exchange. The Commission notes that the trading of standardized exchange-traded options occurs in an environment that is designed to ensure, among other things that: (1) the special risks of options are disclosed to public customers; (2) only investors capable of evaluating and bearing the risks of options trading are engaged in such trading; and (3) special compliance procedures are applicable to options accounts. Accordingly, because LEAPS and regular options on the Indexes will be subject to the same regulatory regime as the other standardized options currently traded on the Amex, the Commission believes that adequate safeguards are in place to ensure the protection of investors in options on the Indexes. Finally, the Amex has stated that it will distribute information circulars to members following rebalancings and prior to component changes to notify members of changes in the composition of the Indexes. Additionally, the Amex will publicly disseminate each Replacement List by means of information circulars. The Commission believes this should help to protect investors and avoid investor confusion.

C. Surveillance

The Commission believes that a surveillance sharing agreement between an exchange proposing to list a stock index derivative product and the exchange(s) trading the stocks underlying the derivative product is an important measure for surveillance of the derivative and underlying securities markets. Such agreements ensure the availability of information necessary to detect and deter potential manipulations and other trading abuses, thereby making the stock index product less readily susceptible to manipulation.[34] In this regard, the Amex, NYSE, and National Association of Securities Dealers, Inc. are all members of the ISG, which provides for the exchange of all necessary surveillance information.[35]

[29] A stock would be ''overweight'' if its weight in the Index were greater than the average weight of all of the stocks in the Index. This would occur, for example, if the price of a component stock significantly increased relative to the other stocks in the Index during a particular quarter and prior to the rebalancing.

[30] *See supra* Section II.E (Maintenance of the Indexes).

[31] *See* Amex Rule 916.

[32] *See supra* Section II.C (Eligibility Standards for the Inclusion of Component Stocks in the Indexes).

[33] *See* Morgan Stanley Letter, *supra* note 14.

[34] *See* Securities Exchange Act Release No. 31243 (September 28, 1992), 57 FR 45849 (October 5, 1992).

[35] *See supra* note 23.

D. Market Impact

The Commission believes that the listing and trading of options on the Indexes, including full-value and reduced-value Index LEAPS, on the Amex will not adversely impact the underlying securities markets.[36] First, as described above, due to the ''equal dollar-weighting'' methodology, no one stock or group of stocks dominates the Indexes. Second, because at each quarterly review and each rebalancing of the Indexes, at least 90% of an Index's numerical value and at least 80% of the total number of component securities must be accounted for by stocks that are eligible for standardized options trading, the component stocks generally will be actively-traded, highly-capitalized stocks. Third, the currently applicable 12,000 contract position and exercise limits will serve to minimize potential manipulation and market impact concerns. Fourth, the risk to investors of contra-party non-performance will be minimized because the options on the Indexes will be issued and guaranteed by the Options Clearing Corporation just like any other standardized option traded in the United States.

Lastly, the Commission believes that settling expiring options on the Indexes (including full-value and reduced-value Index LEAPS) based on the opening prices of component securities is reasonable and consistent with the Act. As noted in other contexts, valuing options for exercise settlement on expiration based on opening prices rather than closing prices may help reduce adverse effects on markets for stocks underlying options on the Index.[37]

The Commission finds good cause for approving Amendment No. 2 to the proposal prior to the thirtieth day after the date of publication of the notice of filing thereof in the Federal Register. Specifically, Amendment No. 2 merely clarifies that for each of the Indexes, both eligibility standards and maintenance criteria require that upon annual rebalancing, at least 90% of each Index's numerical value and 80% of the total number of component securities must meet the then current criteria for standardized options trading set forth in either Rule 915 for component securities not currently the subject of standardized options trading or Rule 916 components which are currently the subject of standardized options trading. Moreover, Amendment No. 2 provides that Morgan Stanley will select and rank any stocks to be included in each Replacement List based on a number of criteria, including conformity to the same eligibility standards and maintenance criteria set forth in Rules 915 and 916. The Commission believes that clarifying the applicable eligibility standards and maintenance criteria for the Indexes' component securities is consistent with maintaining a fair and orderly market and reduces the likelihood of investor confusion.

Based on the above, the Commission finds good cause for approving Amendment No. 2 to the proposed rule change on an accelerated basis and believes that the proposal, as amended, is consistent with Sections 6(b)(5) and 19(b)(2) of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning Amendment No. 2. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to the File No. SR–Amex–95–53 and should be submitted by April 19, 1996.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[38] that the proposed rule change (SR–Amex–95–53), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[39]

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[Release No. 34–37011; File Nos. SR–CBOE–95–58; SR–Amex–95–47; Phlx–95–90; SR–PSE–96–05; SR–NYSE–96–03]

Self-Regulatory Organizations; Order Approving Proposed Rule Changes and Notice of Filing and Order Granting Accelerated Approval of Related Amendments by the Chicago Board Options Exchange, Inc., the American Stock Exchange, Inc. and the Philadelphia Stock Exchange, Inc., and Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Changes by the Pacific Stock Exchange, Inc., and the New York Stock Exchange, Inc., Relating to Listing Standards for Options on Securities Issued in a Reorganization Transaction Pursuant to a Public Offering or a Rights Distribution

March 22, 1996.

I. Introduction

On October 19, November 29, December 19, 1995, February 16, and March 1, 1996 the Chicago Board Options Exchange, Inc. (''CBOE''), the American Stock Exchange, Inc. (''Amex''), the Philadelphia Stock Exchange, Inc. (''Phlx''), the Pacific Stock Exchange, Inc. (''PSE'') and the New York Stock Exchange, Inc. (''NYSE'') (collectively the ''Exchanges''), respectively, submitted to the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] proposed rule changes to adopt listing standards for options on securities issued in a reorganization transaction pursuant to a public offering or a rights distribution.

Notices of the CBOE, Amex, and Phlx proposals were published for comment in the Federal Register on December 6, 1995, December 11, 1995, and December 29, 1995, respectively.[3] No comments were received on the proposals. The CBOE submitted to the Commission Amendment Nos. 1 and 2 to its proposal

[36] In addition, the Amex and the OPRA have represented that the Amex and the OPRA have the necessary systems capacity to support those new series of index options that would result from the introduction of options on the Indexes. *See* Letter from Charles Faurot, Managing Director, Market Data Services, Amex, to Michael Walinskas, Branch Chief, OMS, Division, Commission, dated January 22, 1996; letter from Edward Cook, Jr., Managing Director, Information Technology, Amex, to Michael Walinskas, Branch Chief, OMS, Division, Commission, dated February 8, 1996; and letter from Joe Corrigan, Executive Director, OPRA, to Michael Walinskas, Branch Chief, OMS, Division, Commission, dated January 22, 1996.

[37] Securities Exchange Act Release No. 30944 (July 21, 1992), 57 FR 33376 (July 28, 1992).

[38] 15 U.S.C. § 78s(b)(2).

[39] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release Nos. 36528 (November 29, 1995), 60 FR 62523 (File No. SR–CBOE–95–58); 36550 (December 4, 1995), 60 FR 63550 (File No. SR–Amex–95–47); and 36625 (December 21, 1995), 60 FR 67378 (File No. SR–Phlx–95–90).

on January 30, and February 5, 1996, respectively.[4] The Phlx and Amex submitted to the Commission Amendment No. 1 to their proposals on February 21, and March 21, 1996, respectively.[5] This order approves the proposed rule changes, as amended, by the CBOE, Amex, and Phlx, and the proposed rule changes by the NYSE, and PSE, on an accelerated basis.

II. Background

The Exchanges currently maintain uniform standards regarding the approval for listing of underlying securities for options trading.[6] Specifically, to be the subject of options trading, the underlying security must meet the following guidelines: (1) Trading volume in all markets of at least 2.4 million shares in the preceding twelve months (''Volume Test''); (2) market price per share of at least $7.50 for the majority of business days during the three calendar month period preceding the date of selection (''Price Test''); (3) a minimum public ownership of 7 million shares (''Public Ownership Requirement'');[7] and (4) a minimum of 2,000 holders (''Holder Requirement'').[8]

An exchange must determine that a security satisfies the above requirements, as of the date it is selected for options trading (''selection date''), which is the date the exchange files for certification of the listing of the option with The Options Clearing Corporation (''OCC''). Depending upon the interest and response from other options exchanges, the exchange may generally begin options trading from three to five business days after the selection date.

The Exchanges have adopted maintenance criteria for withdrawal of approval of an underlying security subject to options trading.[9] A security previously approved for options transactions shall be deemed not to meet the guidelines for continued listing if (1) trading volume in all markets is less than 1.8 million shares in the preceding twelve months (''Maintenance Volume Test''); (2) market price per share closes below $5.00 on a majority of business days during the preceding six calendar months (''Maintenance Price Test'');[10] (3) public ownership amounts to fewer than 6.3 million shares (''Maintenance Public Ownership Requirement''); or (4) there are fewer than 1,600 holders (''Maintenance Holders Requirement'').[11]

Both the initial and maintenance listing criteria are intended to ensure, among other things, that options are only traded on stocks with adequate depth and liquidity so that the options and their underlying components are not readily susceptible to manipulation.

The five options exchanges recently amended their rules to facilitate the earlier listing of options on securities issued in certain corporate restructuring transactions.[12] The amended rules apply to securities (''Restructure Security'') issued by a public company to existing shareholders, with existing publicly traded shares subject to options trading, in connection with certain ''restructuring transactions.''[13]

The amended rules facilitates the earlier listing of options on a Restructure Security by permitting an exchange to determine whether a Restructure Security satisfies the Volume Test and Price Test by reference to the trading volume and market price history of an outstanding equity security (''Original Security'') previously issued by the issuer of the Restructure Security, or affiliate thereof.

In addition, the amended rules provide specific criteria for evaluating the distribution of shares of a Restructure Security for purposes of meeting the Public Ownership and Holder Requirements. To the extent that the initial options listing requirements are satisfied based upon these ''lookback'' provisions to the Original Security and the other provisions of the proposal, then an exchange will permit options trading to begin on the ex-date for the restructuring transaction.[14]

In order to utilize the amended rules, the Restructure Security must first satisfy one of four alternate conditions. The first three alternate conditions are intended to ensure that the trading volume and market price history of the Original Security represent a reasonable surrogate for determining the likely future trading volume and price data of the Restructure Security. Under these conditions either, (a) the aggregate market value of the Restructure Security, (b) the aggregate book value of the assets attributed to the business represented by the Restructure Security (minimum $50 million) or (c) the revenues attributed to the business represented by the Restructure Security (minimum $50 million) must exceed one of two stated percentages of the same measure for the Original Security.[15] The threshold percentages

[4] The CBOE submitted Amendment Nos. 1 and 2 to clarify the initial market price requirements, and the maintenance trading volume requirements for shares of a Restructure Security issued pursuant to a public offering or rights distribution, as described more fully herein. *See* Letters from Michael Meyer, Attorney, Schiff Hardin & Waite, to Sharon Lawson, Senior Special Counsel, Office of Market Supervision (''OMS''), Division of Market Regulation (''Market Regulation''), Commission, dated January 30, 1996 (''CBOE Amendment No. 1''); and to John Ayanian, Attorney, OMS, Market Regulation, Commission, dated February 5, 1996 (''CBOE Amendment No. 2'').

[5] The Phlx and Amex submitted identical amendments to reflect the changes set forth in CBOE's Amendment Nos. 1 and 2. As indicated above, these amendments clarify the initial market price requirements, and the maintenance trading volume requirements for shares of a Restructure Security issued pursuant to a public offering or rights distribution, as described more fully herein. *See* Letter from Michele Weisbaum, Associate General Counsel, Phlx, to Michael Walinskas, Branch Chief, OMS, Market Regulation, Commission, dated February 21, 1996 (''Phlx Amendment No. 1''), and Letter from Howard A. Baker, Senior Vice President, Derivative Securities, Amex, to John Ayanian, Attorney, OMS, Market Regulation, Commission, dated March 21, 1996 (''Amex Amendment No. 1'').

[6] *See* Amex rule 915; CBOE Rule 5.3; PSE Rule 3.6; Phlx Rule 1009; and NYSE Rule 715.

[7] Shares that are owned by persons required to report their stock holdings under Section 16(a) of the Act (*i.e.*, directors, officers, and 10% beneficial owners) are excluded from this calculation.

[8] In addition to satisfying price, volume, public ownership, and holder requirements, for a Restructure Security to meet initial listing requirements, it must also comply with all requirements set forth by the Exchanges in their options eligibility rules. For example, the security must be registered, and listed on a national securities exchange, or traded through the facilities of a national securities association and reported as a ''national market system'' (''NMS'') security as set forth in Rule 11Aa3–1 under the Act, and the issuer must be in compliance with any applicable requirements of the Act.

[9] *See* Amex Rule 916; CBOE Rule 5.4; PSE Rule 3.7; Phlx Rule 1010; and NYSE Rule 716.

[10] Additional criteria permits the underlying security under certain circumstances to trade as low as $3.00 for a temporary period of time. *See* Id.

[11] In addition to satisfying the maintenance criteria for market price and trading volume, for a Restructure Security to meet maintenance requirements for an underlying security subject to options trading, it must also comply with all other requirements set forth by the Exchanges in their options eligibility rules.

[12] *See* Securities Exchange Act Release No. 36020 (July 24, 1995), 60 FR 39029 (July 31, 1995) (order approving SR–CBOE–95–11; SR–Amex–95–07; SR–Phlx–95–12; and SR–PSE–95–04); *See also* Securities Exchange Act Release No. 36029 (July 27, 1995), 60 FR 40637 (August 9, 1995) (order approving SR–NYSE–95–07) (''Restructuring Transactions Approval Orders'').

[13] A ''restructuring transaction'' is defined as a spin-off, reorganization, recapitalization, restructuring or similar corporate transaction.

[14] Option contracts may not be initially listed for trading in respect of a Restructure Security, whose shares are issued by the Original Security to its existing shareholders, until the ex-date. The ex-date occurs at such time when shares of the Restructure Security become issued and outstanding and are the subject of trading that are not on a ''when issued'' basis or in any other way contingent on the issuance or distribution of the shares.

[15] Aggregate market values will be based on share prices that are either (a) all closing prices in the primary market on the last business day preceding the selection date or (b) all opening prices in the primary market on the selection date. The aggregate market value of the Restructure Security may be determined from ''when issued'' prices, if available.

Asset values and revenues will be derived from the later of (a) the most recent annual financial statements or (b) the most recent interim financial statements of the respective issuers covering a will be 25% if the applicable measure determined with respect of the Original Security represents an interest in the combined enterprise prior to the restructuring transaction, and 33⅓% if the applicable measure determined with respect of the Original Security represents an interest in the remainder of the enterprise after the restructuring transaction (''Percentage Tests''). The fourth alternate condition is that the aggregate market value represented by the Restructure Security be at least $500 million (''Aggreate Market Value Test''). This condition is based on the Exchanges' view that even if a Restructure Security does not meet the comparative tests outlined above, a Restructure Security with an aggregate market value of $500 million, by virtue of its absolute size, represents a substantial portion of the Original Security, and thus should qualify for the ''lookback'' provision.

If any one of the four conditions set forth above is satisfied, a Restructure Security will qualify for the ''lookback'' provision. Under the ''lookback'' provision, a Restructure Security may be eligible for options trading immediately upon its issuance provided the following requirements are satisifed. First, the Restructure Security must satisfy the Volume and Price Tests. An exchange may be permitted to determine whether a Restructure Security satisfies the Volume and Price Tests by reference to the trading volume and market price history of the Original Security. The trading volume and market price history of the Original Security that occurs *prior to the restructuring ex-date* can be used for these calculations (emphasis added). Volume and price data may be derived from ''when issued'' trading in the Restructure Security. However, once an exchange uses ''when issued'' volume or prices for the Restructure Security to satisfy the relevant guidelines, it may not use the Original Security for that purpose on any subsequent trading day. In addition, both the trading volume and market price history of the Original Security must be used, if either is so used.

Additionally, an exchange must determine whether a Restructure Security will satisfy the Public Ownership and Holder Requirements. This determination will either be based on facts and circumstances that will exist on the intended date for listing the option, or based on assumptions that are permitted under the proposal. Because the shares of the Restructure Security are to be issued or distributed to the shareholders of the issuer of the Original Security, these requirements may be satisfied based upon the exchange's knowledge of the existing number of outstanding shares and holders of the Original Security.

Moreover if a Restructure Security is to be listed on an exchange or in an automatic quotation system that subjects it to an initial listing requirement of no less than 2,000 holders, then the options exchange may assume that the Holder Requirement will be satisfied. Similarly, if a Restructure Security is to be listed on an exchange or in an automatic quotation system subject to an initial listing requirement of no less than public ownership of 7 million shares, then the options exchange may assume that Public Ownership Requirement will be satisfied. Additionally, if an exchange determines that at least 40 million shares of a Restructure Security will be issued and outstanding in a restructuring transaction, then it may assume that the Restructure Security will satisfy both the Public Ownership, and Holder Requirements.

An exchange, however, shall not rely on the above assumptions if, after reasonable investigation, it determines that either the public ownership of shares or the holder requirement, in fact, will not be satisfied on the intended date for listing the option. Additionally, other exchanges will have the opportunity to challenge the certification by demonstrating, among other things, that the Restructure Security will not meet the initial listing criteria with respect to public ownership and holders.

Finally, the Exchanges adopted a similar ''lookback'' provision for the Maintenance Volume Test and the Maintenance Price Test. Specifically, for purposes of satisfying these requirements, the trading volume and market price history of the Original Security, as well as any ''when issued'' trading in the Restructure Security, can be used for such calculations, provided that they are only used for determining price and volume history for the period prior to commencement of trading in the Restructure Security.

III. Description of the Proposals

The purpose of the proposed rule changes is to amend the Exchanges' special listing standards [16] that apply to options on equity securities issued in certain restructuring transactions to include securities issued pursuant to a public offering or a rights distribution that is part of a restructuring transaction.

As recently approved by the Commission, the Exchanges' accelerated listing criteria for options on Restructure Securities does not extend to restructuring transactions involving the issuance of shares of a Restructure Security in a public offering or a rights distribution.[17]

The Exchanges note that when shares of a Restructure Security are issued in a public offering or pursuant to a rights distribution, it cannot automatically be assumed that the shareholder population of the Restructure Security and the Original Security will be the same. Instead, the shareholders of a Restructure Security issued in a public offering will be those persons who subscribed for and purchased the security in the offering, and the shareholders of a Restructure Security issued in a rights distribution will be those persons who received rights via such an offering, or purchased such rights and elected to exercise them. Even in the case of a distribution of nontransferable rights to shareholders of the Original Security, not all such shareholders may choose to exercise their rights. As a result, it cannot be assumed that the Restructure Security will necessarily satisfy listing criteria pertaining to minimum number of holders, minimum public ownership of shares, and trading volume simply because the Original Security satisfied these criteria.

The Exchanges believe, however, that it is appropriate and desirable to be able to list options overlying securities issued in reorganizations involving public offerings or rights distributions without significant delay, provided there are reasonable assurances that the Restructure Securities satisfy applicable options listing standards. That is, shareholders of an Original Security who utilize options to manage the risks of their stock positions may well find themselves to be shareholders of both the Original Security and the Restructure Security following a reorganization because they chose to purchase the Restructure Security in a public offering or to exercise rights in order to maintain the same investment

period of not less than three months. Such financial statements may be audited or unaudited and may be pro forma.

[16] *See* CBOE Rule 5.3, Interpretation and Policy .05; Amex Rule 915, Commentary .05; Phlx Rule 1010, Commentary .05; PSE Rule 3.6, Commentary .05; and NYSE Rule 715, Supplementary Material .50.

[17] As stated above, the special listing standards adopted by the Exchanges currently apply to a Restructure Security, whose shares are issued by a public company to its existing shareholders, with existing public traded shares subject to options trading on an exchange, in connection with certain restructuring transactions. *See* Restructuring Transactions Approved Orders, *supra* note 10.

position they had prior to the reorganization. Such holders may want to continue to use options to manage the risks of their combined stock position after the reorganization, but they can do so only if options on the Restructure Security are available. The Exchanges believe that it is important to avoid any undue delay in the introduction of options trading in such a Restructure Security in circumstances where there is sound reason to believe that the Restructure Security will in fact satisfy options listing standards.

Accordingly, the Exchanges have proposed certain special listing criteria to address the attendant concerns. As with the options listing standards for shares of a Restructure Security issue to shareholders of the Original Security in certain restructuring transactions, an exchange will be able to assume the satisfaction of the Public Ownership and Holder Requirements in public offerings and rights distributions, if the Restructure Security is listed on an exchange or an automatic quotation system subject to equivalent listing requirements or at least 40,000,000 shares of the Restructure Security are issued and outstanding. Moreover, after due diligence, an exchange must have no reason to believe that the Restructure Security does not satisfy these requirements.

Additionally, the closing prices of the Restructure Security on each of the five or more consecutive ''regular way'' trading days prior to the selection date must be at least $7.50 per share.[18] In addition to this requirement, the Price Test must also be separately met. Satisfaction of the Price Test may be based on the market price history of the Restructure Security from the ex-date for the restructuring transaction to the selection date, and the market price history of the Original Security prior to the ex-date for restructuring transaction.[19] In the event the Restructure Security has a closing price that is less than $7.50 on any of the trading days preceding its selection date, or an opening price that is less than $7.50 on its selection date, the Restructure Security itself will have to satisfy the Price Test. This would require the Restructure Security to close at or above $7.50 on a majority of trading days over a period of three months before it can be certified as eligible for options trading. In order to rely, in part, on the market price history of the Original Security to satisfy the Price Test, the Restructure Security must still meet the Percentage Tests or the Aggregate Market Value Test as outlined above in Section II. Finally, trading volume in the Restructure Security itself, without reliance on the Original Security, must be at least 2,400,000 shares during a period of twelve months or less up to the time the security is so selected.

For any Restructure Security issued in a public offering or a rights distribution that satisfies these requirements, the effect of the proposed rule changes will be to permit its certification for options trading to take place as early as on the sixth day after trading in the Restructure Security commences.

Finally, the Maintenance Volume Test approved in the Restructuring Transactions Approval Orders is proposed to be amended to provide that in the case of a Restructure Security issued in a public offering or pursuant to a rights offering and approved for options trading on an accelerated basis, the Maintenance Volume Test may not be satisfied on the basis of the trading volume history of the Original Security, but instead it must be satisfied solely on the basis of the trading volume history of the Restructure Security.[20]

IV. Commission Findings and Conclusions

The Commission finds that the proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular with the requirements of Section 6(b)(5),[21] in that the rules of an exchange be designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, and, in general, to protect investors and the public interest.

The Commission believes that it is necessary for securities to meet certain minimum standards regarding both the quality of the issuer and the quality of the market for a particular security to become options eligible. These standards are imposed to ensure that those issuers upon whose securities options are to be traded are financially sound companies whose trading volume, market price, number of holders, and public ownership of shares are substantial enough to ensure adequate depth and liquidity to sustain options trading that is not readily susceptible to manipulation. The Commission also recognizes that under current equity options listing criteria, investors may be precluded for a significant period from employing an adequate hedging strategy involving options on any newly acquired Restructure Security acquired pursuant to a public offering or rights distribution in connection with a restructuring transaction.

Accordingly, to determine whether the earlier listing of options overlying a Restructure Security issued pursuant to a public offering or rights distribution is reasonable, the Commission must balance the benefits of providing adequate hedging strategies to shareholders of the Restructure Security, and the risks of approving certain securities for options trading before such securities can conclusively be determined to satisfy the options eligibility criteria.[22] The Commission believes that the proposed limited exception to established equity options listing procedures where a public offering or rights distribution is solely related to a restructuring of an Original Security, and the Original Security is already the subject of options trading, strikes such a reasonable balance.

As discussed in more detail below, the Commission believes that the conditions of the new rule will help to ensure that only those securities that are most likely to have adequate depth and liquidity will be eligible for options trading prior to the establishment of a recognized trading history. Additionally, by facilitating the earlier listing of options on a Restructure Security issued pursuant to a public offering or rights distribution, the Commission believes that investors should be able to better hedge the risk of their newly acquired stock position in the Restructure Security.[23]

Despite the benefits of the proposal, the Commission believes that the proposal should only apply to restructuring transactions that involve financially sound and sufficiently large companies. The Commission believes that the Exchanges have adequately addressed this concern by requiring the Restructure Security to either satisfy certain comparative tests (comparing the Restructure Security, or its related business with that of the Original Security, or its related business,[24] or

[18] This requires that the Restructure Security must have actually been issued and traded for at least 5 consecutive trading days before it can be selected for options trading.

[19] *See* CBOE Amendment No. 1, *supra* note 4; *see also* Amex Amendment No. 1, and Phlx Amendment No. 1, *supra* note 5.

[20] *See* CBOE Amendment No. 1, *supra* note 4; *see also* Amex Amendment No. 1, and Phlx Amendment No. 1, *supra* note 5.

[21] 15 U.S.C. 78f(b)(5).

[22] *See supra* Section II.

[23] Although the proposals do not specifically address it, the Commission understands that the application of the proposals is limited solely to those instances where options are listed on the Original Security.

[24] The Commission notes that the comparative asset values and revenues, when used to determine

meet a very high aggregate market value standard ($500 million).[25]

The Commission believes that if one of the comparative tests or the aggregate market value standard is satisfied, the Restructure Security should qualify for the ''lookback'' provision. Under the ''lookback'' provision, a Restructure Security will be able to satisfy the Price Test if the market price history of the Restructure Security, together with the market price history of the Original Security occurring prior to the ex-date, meet the initial listing requirements for market price of the Restructure Security. The Commission believes that the additional requirement under the Exchanges' proposed rules that the closing price of the Restructure Security on each of the five or more consecutive ''regular way'' trading days prior to the selection date must be at least $7.50 per share provides an exchange with a reasonable sample price history of the Restructure Security before selection is permitted.

The Commission also believes that it is appropriate for an exchange to count ''when issued'' trading in the Restructure Security when determining if the Restructure Security will satisfy the Price Test set forth in the initial options listing requirements. However, once an exchange begins to use ''when issued'' volume or price history for the Restructure Security to satisfy the Price Test, it may not use the Original Security for such purposes on any subsequent trading day. For example, if in order to satisfy the Price Test for a Restructure Security for which the ex-date is April 1, 1996, and the selection date for the Restructure Security is April 8, 1996, an exchange may elect to base its determination on the market price of the Original Security from October 9, 1995 through March 1, 1996, the market price is the when-issued market for the Restructure Security from March 7, 1996 through March 31, 1996, and the ''regular way'' trading market price of the Restructure Security from April 1 through April 8, 1996, in determining whether options covering the Restructure Security may be certified for options trading on the April 8, 1996 selection date. An exchange, however, would be permitted to use the price history of the Original Security throughout the period from October 9, 1995 through March 31, 1996, provided that it did not rely on any when-issued market price history during that period.

The Commission notes that an exchange will not use trading history relating to the Original Security after the ex-date to meet the initial options listing requirements for the option contracts overlying the Restructure Security. Additionally, the condition that option contracts overlying a Restructure Security will not be initially listed for trading until such time as shares of the Restructure Security are issued and outstanding and are the subject of ''regular way'' trading for at least 5 trading days will serve to (1) ensure that options will only be traded on a Restructure Security when it is certain the security is actually issued and outstanding, and (2) provide an opportunity to better determine if the Holder and Public Ownership Requirements have been met.

The Commission notes that the Exchanges may not apply the ''lookback'' provision to satisfy the Volume Test for a Restructure Security issued pursuant to a public offering or rights distribution. The trading volume in the Restructure Security must be at least 2,400,000 shares during a period of twelve months or less up to the time the security is so selected. The Commission believes that this requirement will ensure that there is adequate liquidity in the Restructure Security, issued pursuant to a public offering or rights distribution, to qualify for options trading.

In addition to satisfying the Volume and Price Tests, a Restructure Security must also meet certain distribution requirements before an exchange can deem such security to be options eligible. Specifically, the Restructure Security must have 2,000 holders, and 7 million shares must be owned by persons not required to report their stock holdings under Section 16(a) of the Act to be options eligible. The proposal provides that an exchange may make certain limited assumptions to determine the Public Ownership and Holder Requirements. First, if a Restructure Security is to be listed on an exchange or in an automatic quotation system that has, and applies to the Restructure Security, an initial listing requirement that the issuer have no less than 2,000 holders, the Commission believes that it is reasonable for an exchange to assume that its comparable option listing requirement will be satisfied. Second, if a Restructure Security is to be listed on an exchange or in an automatic quotation system that has, and applies to the Restructure Security, an initial listing requirement of no less than public ownership of 7 million shares, the Commission believes that it is reasonable for an exchange to assume that its comparable option listing requirement will be satisfied.

The Commission notes that currently no exchange or automatic quotation system has a public ownership initial stock listing standard that is as stringent as those required under the options eligibility requirements. Moreover, a stock exchange may now be able to list stocks pursuant to alternate listing standards. For example, the Commission has recently approved alternate listing standards for companies listed on the New York Stock Exchange (''NYSE''), including, among other things, the distribution of shares.[26] Under these alternate listing standards, the NYSE is currently allowed to list certain companies with 500 shareholders that meet heightened requirements in other areas in lieu of its 2,200 total shareholder requirements. Therefore, the Exchanges should be careful to precisely determine which listing standards are being applied to the listing of the Restructure Security prior to making a determination as to whether the Restructure Security meets the corresponding options listing criteria.

Additionally, current options listing criteria for securities issued pursuant to restructuring transactions provide that if at least 40 million shares of a Restructure Security will be issued and outstanding in a restructuring transaction, an exchange may assume that the Restructure Security will satisfy both the public ownership of shares and holder requirements. The Commission believes this is appropriate because it appears unlikely that a Restructure Security with at least 40 million issued and outstanding shares, will have fewer than 2,000 holders or less than 7 million shares owned by persons not required to report their stock holdings under Section 16(a) of the Act.

The Commission believes that concerns associated with the ability of an exchange to make important listing decisions based on assumptions rather than confirmed facts are alleviated by the crucial provision that an exchange shall not rely on the above assumptions if, after a reasonable investigation, it determines that either the public ownership of shares or the holder requirement, in fact, will not be satisfied on the intended date for listing the option. At the very least, an exchange

whether the above-mentioned conditions are satisfied, shall be derived ''from the later of the most recent annual or most recently available comparable interim *(not less than three months)* financial statements.'' This provision means that the interim financial statements must cover a period of not less than three months.

[25] *See* Restructuring Transactions Approval Orders, *supra* note 12.

[26] *See* Paragraph 102.01 of the NYSE's Listed Company Manual. *See also* Securities Exchange Act Release No. 35571 (April 5, 1995), 60 FR 18649 (April 12, 1995) (order approving proposed rule change relating to domestic listing standards).

should investigate the basis for its assumptions regarding the public ownership of shares and number of shareholders just prior to selecting the option and just prior to trading the option, utilizing a worst case analysis in making its assumptions that the Restructure Security will meet these listing standards.

In addition, other exchanges will continue to have the opportunity to challenge the certification by demonstrating that the Restructure Security will not meet the initial listing criteria with respect to public ownership and holders. The Commission believes that this provision provides an important check and should help to ensure that no unqualified securities are listed for options trading.

The Commission also believes that it is appropriate for an exchange to apply the ''lookback'' provision, to determine if a Restructure Security will satisfy the Maintenance Price Test. The Commission believes that it is appropriate to use the market price history of the Original Security, as well as any ''when issued'' trading in the Restructure Security for such calculations, provided that they are only used for determining price history for the period prior to commencement of trading in the Restructure Security.

The Commission notes that because the Maintenance Price Test is calculated on a rolling forward basis, ''when issued'' trading history for the Restructure Security or trading history for the Original Security prior to the ex-date may be used for maintenance calculations for no more than six months after the ex-date for the Restructure Security. For example, in order to satisfy the Maintenance Price Test for a Restructure Security on April 1, 1996, with an ex-date of February 1, 1996, an exchange may elect to base its determination on the trading price of the Original Security from October 1, 1995 through January 15, 1996, the trading price in the when-issued market for the Restructure Security from January 16, 1996 through January 31, 1996, but must use the ''regular way'' trading price in the Restructure Security from February 1, 1996 through April 1, 1996.

The Commission believes that it is appropriate not to rely on the trading volume of the Original Security in satisfying the Maintenance Volume Test, because the trading volume of the Restructure Security must solely satisfy the initial listing requirements for trading volume before it is eligible for options trading.

The Commission finds good cause for approving the proposed rule change by the PSE and the NYSE prior to the thirtieth day after the date of publication of notice of filing thereof in the Federal Register. Specifically, the Commission notes that the PSE's and NYSE's proposed rule changes are substantively similar to those proposed by the CBOE, Amex, and Phlx. The PSE and NYSE rule change proposals raises no issues that are not raised by the other exchanges. Additionally, the Commission notes that the CBOE, Amex, and Phlx proposals were subject to a full notice and comment period, and no comments were received. Accordingly, the Commission believes that it is consistent with Section 6(b)(5) of the Act to approve PSE's and NYSE's proposed rule changes on an accelerated basis.

The Commission also finds good cause for approving CBOE Amendment Nos. 1 and 2, Amex Amendment No. 1, and Phlx Amendment No. 1, all comprising the same substantive changes to their respective proposals, prior to the thirtieth day after the date of publication of notice of filing thereof in the Federal Register. Specifically, the amendments clarify the initial market price requirements,[27] and the maintenance trading volume requirements [28] for shares of a Restructure Security issued pursuant to a public offering or rights distribution. Because the amendments accurately reflect the intent of the rule as originally proposed, and merely provide clarifying language, the Commission does not believe that the amendments raise any new or unique regulatory issues. Accordingly, the Commission believes that it is consistent with Sections 6(b)(5) and 19(b)(2) of the Act to approve the foregoing amendments to CBOE's, Amex's, and Phlx's proposed rule changes on an accelerated basis.

Interested persons are invited to submit written data, views and arguments concerning the PSE and NYSE proposals; CBOE Amendment Nos. 1 and 2; Amex Amendment No. 1; and Phlx Amendment No. 1. Persons making written submission should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal offices of the Exchanges. All submissions should refer to SR–CBOE–95–58; SR–Amex–95–47; SR–Phlx–95–90; SR–PSE–96–05; and SR–NYSE–96–03 and should be submitted by April 19, 1996.

V. Conclusion

Based on the above findings, the Commission believes the proposals are consistent with Section 6(b)(5) of the Act by facilitating transactions in securities while at the same time ensuring continued protection of investors. The new accelerated listing procedures only apply where a public offering or rights distribution is solely related to a restructuring of the Original Security, and the Original Security is already subject to options trading. This fact, along with the other strict conditions of the rule should help to identify for accelerated options eligibility only those Restructure Securities that will have adequate depth and liquidity to support options trading. At the same time it will provide investors with a better opportunity to hedge their positions in both the Original and the Restructure Security.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[29] that the proposed rule changes (SR–CBOE–95–58; SR–Amex–95–47; Phlx–95–90; SR–PSE–96–05; and SR–NYSE–96–03), as amended, are approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[30]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7701 Filed 3–28–96; 8:45 am]

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[Release No. 34–37014; File No. SR–NASD–96–05]

Self-Regulatory Organizations; Order Approving Proposed Rule Change by National Association of Securities Dealers, Inc. Relating to the Mutual Fund Quotation Service

March 22, 1996.

On February 5, 1996, the National Association of Securities Dealers, Inc. (''SEC'' or ''Commission'') the proposed rule change pursuant to Section 19(b)(1)

[27] *See supra* note 19 and accompanying text.

[28] *See supra* note 20 and accompanying text.

[29] 15 U.S.C. 78s(b)(2).

[30] 17 CFR 200.30–3(a)(12).

of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] The proposed rule change revises the fee structure for the Mutual Fund Quotation Service (''MFQS'' or ''Service'') and updates the name of the Service in the NASD Rules. Notice of the propose the rule change, together with the substance of the proposal, was issued by Commission release (Securities Exchange Act Release No. 36840, February 13, 1996) and by publication in the Federal Register (61 FR 6674, February 21, 1996). No comment letters were received. The Commission is approving the proposed rule change.

I. Background

The purpose of the proposed rule change is to revise the fee structure for the Service to account for significant enhancements and to reflect more accurately the value of the Service in today's market. The Service facilitates the public dissemination of daily price information for mutual funds and money market funds through the broadcast media and the newspapers. After the market close each day, mutual fund companies or their agents calculate the net asset value (''NAV''), and in some cases the dividend, capital gain, and other pertinent information for each fund. This information is submitted to the NASD by computer, which in turn disseminates it out to the media in a static batch transmission at approximately 5:40 p.m. Depending on the size and number of shareholders, funds may quality for inclusion in either the News Media List or the Supplemental List.

II. The terms of Substance of the Proposed Rule Change

The proposed rule change amends Part VIII and Part XIV of Schedule D to the NASD B-Laws.[3] Under the proposed rule change, new mutual funds will be assessed a one-time application processing fee of $250 per fund. In addition, the fee to include a fund in the News Media List will increase from $150 to $275 per year. The fee to include a fund in the Supplemental List will increase from $100 to $200 per year.

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] 17 CFR 240.19b–4.

[3] Pursuant to a new rule numbering system for the NASD Manual anticipated to be effective no later than May 1, 1996, the rules that are the subject of this proposed rule change will become Rule 7090 (regarding fee structure), and Rule 6800 (regarding description of the Service). See Exchange Act Release No. 36698 (January 11, 1996), 61 FR 1419 (January 19, 1996) (order approving new rule numbering system).

III. Discussion

The Commission believes that the proposed rule change is consistent with the provisions of Section 15A(b)(5) of the Act, which requires that the rules of a national securities association provide for the equitable allocation of reasonable dues, fees, and other charges among members and issues and other persons using any facility or system which the association operates or controls. The current fees have remained unchanged over a ten year period since inception of the Service, although the number of funds and shareholder accounts have increased more than three-fold. In addition, the one-time application fee for new funds is intended to defray the costs incurred in processing applications.

The fee increases are necessary to provide benefits to mutual funds, their agents, and the media. Several enhancements to the Service, including the establishment of a system of rolling dissemination of prices, will improve the distribution to the media of price information in a timely fashion. Rolling dissemination of prices will allow mutual funds and their agents to enter real-time updates throughout the day which will decrease rushed end-of-day transmissions of price information. The media will have more time to prepare its daily fund tables for inclusion in newspapers because the media will be receiving fund NAVs when they are available. Furthermore, the public that has increased its reliance on daily price information will benefit from real-time updates of price information which reduce the risk that the media will not receive any price information for publication. If a transmission problem occurs between 4:00 p.m. and 5:40 p.m., the media already will have received some fund information for publication, instead of relying on a single batch transmission at 5:40 p.m., as in the case today.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change SR–NASD–96–05 be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30–3(a)(12).

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7642 Filed 3–28–96; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–37015; File No. SR–NYSE–96–02]

Self-Regulatory Organizations; New York Stock Exchange, Inc.; Order Granting Approval to Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval of Amendment No. 1 Relating to Voting of Proxies by Member Firms for Holders of Auction Rate Preferred Securities

March 22, 1996.

I. Introduction

On February 1, 1996, the New York Stock Exchange, Inc. (''NYSE'' or ''Exchange'') submitted to the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change that would allow the Exchange's member firms, under certain conditions, to vote the shares of auction rate preferred securities [3] that they hold on behalf of their customers, notwithstanding the failure of the beneficial holders to provide instructions regarding the voting of such shares.

The proposed rule change was published for comment in Securities Exchange Act Release No. 36813 (February 6, 1996), 61 FR 5592 (February 13, 1996). One comment letter was received on the proposal.[4] The NYSE filed Amendment No. 1 with the Commission on March 18, 1996.[5] This order approves the proposal, including Amendment No. 1 on an accelerated basis.

II. Description

Auction rate preferred securities are preferred securities with dividend rates that are established periodically by auction or remarketing at specified reset periods. At the auction date, which typically runs every seven days but in some instances can be one to five years, the investors receive their entire investment along with accrued dividends, and may, if they so chose, participate in the repurchase of shares at

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The proposed rule change defines an auction rate preferred security as a preferred security pursuant to which the dividend rate is established periodically by auction or remarketing at specified reset periods.

[4] *See* Letter from Dorothy M. Donohue, Assistant Counsel, Investment Company Institute, to Jonathan G. Katz, Secretary, SEC, dated March 5, 1996.

[5] Amendment No. 1 made clarifying changes to the text of the rule proposal. *See* Letter dated March 13, 1996, from James E. Buck, Senior Vice President and Secretary, NYSE, to Glen Barrentine, Team Leader, SEC.

the new dividend rate for the ensuing rate period.

Because of the short-term nature of these securities, auction rate preferred shareholders generally have little economic interest in the performance of the issuer and its governance structure. As a result, the Exchange has represented that corporate issuers of these securities often find it difficult to obtain a quorum of auction rate preferred shareholders when such a requirement exists. Such failure blocks the approval of matters that require such a quorum.

The proposed rule change would allow member firms to vote the shares of auction rate preferred securities with auction reset periods of less than one year, on non-routine items,[6] in proportion to those votes cast by beneficial holders of each class of such securities (or of each series where an item must be voted upon separately by each series), as long as:

(i) The issuer has transmitted proxy soliciting material to the beneficial owner or its designee;[7]

(ii) It has not received voting instructions from the beneficial owner or its designee within the time period specified in the proxy material;

(iii) At least 30% of the outstanding shares of the same class or series (where a series vote is required) has been voted by preferred security holders;

(iv) Less than 10% of the outstanding shares of the same class or series (where a series vote is required) has been voted by preferred security holders against the proposal;[8]

(v) For any proposal as to which both the common and the preferred holders vote as a single class, proportional voting would not be allowed unless common shareholders have also approved the item;

(vi) A majority of the independent directors of the issuer's board of directors have approved the item; and

(vii) Adequate disclosure of proportional voting has been provided.

The proposed rule change will insert a new Rule 452.12 into the Exchange's Rules of the Board of Governors as well as an identical Paragraph 402.08(C) into the Exchange's Listed Company Manual.[9]

III. Summary of Comments

The Commission received one comment letter from the Investment Company Institute (the ''Comment Letter'').[10] The Comment Letter supported the proposed amendment and urged the Commission to approve it promptly. It did note its belief, however, that the term ''issue,'' as used in conditions (3) and (4) of the proposed rule, was ambiguous.[11] The Comment Letter stated its understanding that the term ''issue'' was intended to refer to all of the outstanding preferred shares of an issuer rather than the separate series of the issuer's preferred shares and recommended that it be defined in the proposed rules in such manner or that such understanding be reflected in the Commission's release adopting the proposed amendment.

In response, the NYSE submitted Amendment No. 1 amending conditions (3) and (4) of the proposed rules. These provisions set forth conditions that must be satisfied before a member organization may vote auction rate preferred securities. As proposed to be amended by Amendment No. 1, these provisions would prohibit a member firm from voting the shares of auction rate preferred securities that it held on behalf of its customers unless at lest 30% of the outstanding shares of each class or each series, where a series vote is required, vote and less than 10% of each such class or series vote against the proposal.

IV. Discussion

After careful consideration, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a Commission believes the proposal is consistent with the Section 6(b)(5) requirements that the rules of an exchange be designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, and, in general, to protect investors and the public.

The Commission has reviewed carefully the Exchange's proposal to amend its rules to allow member firms, under very limited conditions, to vote on non-routine matters the auction rate preferred securities that they hold on behalf of their customers, notwithstanding the failure of the beneficial holders to provide instructions regarding the voting of such shares. The Commission believes that such proposal adequately addresses the particular needs of issuers of such securities to be able to obtain a quorum of preferred shareholders, while, at the same time, protecting the rights of the holders of such shares.

Under the Exchange's proposal, member firms would be allowed to vote auction rate preferred securities that are held on behalf of their customers in proportion to the voting instructions received from holders of the same class (or of the same series where the item must be voted upon separately by each series) only under very limited circumstances. These circumstances would include a condition that the securities must have reset periods of one year or less, which serves to limit this provision to those securities that, because of their short-term nature, leave shareholders with little economic interest in the performance of the issuer. Further, the issuer must have transmitted proxy those securities that, because of their short-term nature, leave shareholders with little economic interest in the performance of the issuer. Further, the issuer must have transmitted proxy soliciting material to the beneficial owner or its designee in accordance with NYSE Rule 451. This condition ensures that beneficial holders will continue to have the choice of voting their shares if they so desire and the information necessary to allow them to make an informed voting decision.[13] The shareholder also must receive adequate disclosure of the member firm's ability to vote such

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[6] Voting by member firms on routine items is governed by NYSE Rule 452.10, which allows member firms to vote without customer instructions on routine items, provided that the member has transmitted proxy soliciting material to the beneficial owner in accordance with NYSE Rule 451 and the member has not received voting instructions from the beneficial owner by the date specified in the statement accompanying such material.

[7] The transmittal of proxy soliciting material to the beneficial owner must be undertaken in accordance with NYSE Rule 451.

[8] Because the 10% threshold is based upon the outstanding shares of a class or series rather than the shares actually voted, the proportion of negative votes among the shares actually voted is likely to be significantly higher than the 10% threshold. For example, where only 30% of the outstanding shares of a class vote, a negative vote of at least 33% of the shares of such class that actually vote would be necessary to exceed the 10% threshold. However, even a situation where the proportion of negative votes approached the 10% threshold, the measure will have been approved by a substantial majority of the outstanding shares voting.

[9] The proposed rule change also renumbers existing Exchange Rules 452.12 through 452.16 without change to Rules 452.13 through 452.17 and Listed Company Manual Paragraphs 402.08 (C) through (G) without change to 402.08 (D) through (H).

[10] *See* letter from Dorothy M. Donohue, Assistant Counsel, Investment Company Institute, to Jonathan G. Katz, Secretary, SEC, dated March 5, 1996 (''Comment Letter'').

[11] These provisions set forth conditions that must be satisfied before a member organization may vote auction rate preferred securities and, as originally proposed, required that at least 30% of the outstanding issue be voted by beneficial holders and that less than 10% of the issue voted against the proposal.

[13] Of course, where the beneficial shareholder actually does vote his or her shares, the proposed rules would prohibit the member firm from proportionally voting such shares.

shares in the absence of the beneficial holder exercising such right.

Moreover, under the proposal a member firm's right to vote such shares would be limited to proposals that have received the vote of at least 30% of the outstanding shares of each class or series (where a series vote is required) of the auction rate preferred shares. This will ensure that the member firm's proportional vote mirrors the vote of a significant portion of the total outstanding auction rate preferred shares. In addition, the member firm would be prohibited from voting where 10% or more of the outstanding shares of the same class or series (where a series vote is required) voted against the proposal and, in the case of a proposal that requires both the common and the preferred holders to vote as a single class, where the proposal does not receive the separate approval of the common shareholders.[14] These provisions effectively limit the member firm's proportional vote to matters that are strongly supported by those auction rate preferred holders who do vote and, where necessary, approved by the common shareholders. Finally, to further ensure fairness, the member firm may only vote on matters that have been approved by a majority of an issuer's independent directors.

The Commission believes that these conditions protect the rights of the holders of auction rate preferred securities by sufficiently limiting the right of member firms to vote, on non-routine items, the shares of such securities that they hold on behalf of their customers. At the same time, the Exchange's proposal should meet its objective of assisting issuers in obtaining approval of matters that are overwhelmingly supported by auction rate preferred shareholders who do vote.

Moreover, the Commission believes that the amended language adopted by the Exchange with regard to subsections (iii) and (iv) of the proposed rule change is preferable to the alternative offered in the Comment Letter. The Exchange's approach, which applies the 30% and 10% thresholds to the same class or series (where a series vote is required) instead of to all of the outstanding preferred shares, offers greater protection to the voting interests of holders of each class or series, as applicable.

The Commission finds good cause for approving Amendment No. 1 prior to the thirtieth day after the date of publication of notice thereof in the Federal Register. Amendment No. 1 made clarifying, technical changes to the text of the rule, and did not propose new substantive provisions to the proposed rule change. Accordingly, the Commission believes that consistent with Section 19(b)(2), good cause exists to accelerate approval of Amendment No. 1.

V. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning Amendment No. 1 to the proposed rule change. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rules change that are filed with the Commission, and all written communications relating to Amendment No. 1 between the Commission and any persons, other than those that may be withheld from the public in for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available at the principal office of the NYSE. All submissions should refer to File No. SR–NYSE–96–02 and should be submitted by April 19, 1996.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[15] that the proposed rule change (SR–NYSE–96–02), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[16]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7643 Filed 3–29–96; 8:45 am]

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[14] As to any proposal that requires the common and preferred holders to vote as a single class, the above provisions, if read in combination, could be understood as conditioning the member firm's right to vote on the requirement that less than 10% of the outstanding shares of such combined class not vote against the proposal. The Exchange has informed the Commission, however, that it would interpret the 10% threshold as applying only to the outstanding preferred shares such that a member would not be prohibited from voting if 10% or more of the outstanding shares of a combined class of common and preferred voted against the proposal so long as less than 10% of the preferred shares did not vote against the proposal. The Exchange has further represented that it intends to notify its members of this interpretation though an Interpretation Memo. Telephone conversation between John Longobardi, Managing Director, NYSE, and Glen Barrentine, SEC, dated March 21, 1996.

[15] 15 U.S.C. 78s(b)(2).

[16] 17 CFR 200.30–3(a)(12).

[Release No. 34–37016; International Series Release No. 956; File No. SR–NYSE–96–04]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of a Proposed Rule Change by the New York Stock Exchange, Inc. Relating to an Amendment of NYSE

March 22, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on March 11, 1996, the New York Stock Exchange, Inc. (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the NYSE. The Commission is approving the proposal on an accelerated basis, in addition to publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of an amendment to NYSE Rule 104 to facilitate trading in Investment Company Units (''Units''),[2] including CountryBaskets.[3]

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specificed in Item IV below. The self-regualtory organization has prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The Exchange proposes to amend its Rule 104 to facilitate specialist market

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] NYSE Listed Company Manual Section 703.16 defines a Unit as a security that represents an interest in a registered investment company that could be organized as a unit investment trust, an open-end management investment company, or a similar entity.

[3] ''CountryBasket,'' ''CountryBaskets'' and ''CB'' are trademarks of Deutsche Bank Securities Corporation).

making in Units, including CountryBaskets. Trading in CountryBaskets is expected to begin on March 25, 1996.[4]

Currently, Rule 104 requires that specialists obtain the approval of an Exchange Floor Official when effecting a destabilizing transaction on a direct plus or direct minus tick. The Exchange proposes to amend Rule 104 by adding new Supplementary Material .10(7) to provide that the requirement to obtain Floor Official approval for transactions on a direct plus tick or a direct minus tick for a specialist's own account contained in Rule 104 Supplementary Material .10(5)(i)(A), (B), (C) and (6)(i)(A) will not apply to transactions that are effected for the purpose of bringing the price of a Unit into parity with the value of the portfolio on which it is based, or the net asset value of the Unit.

Direct destabilizing transactions that are leading, rather than following, the underlying component portfolio would continue to require Floor Official approval. Specialists would remain subject to all other requirements of Rule 104 with respect to their affirmative and negative obligations to maintain a fair and orderly market.

The Exchange believes that its proposal is consistent with the Act in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

The NYSE has requested that the proposed rule change be given accelerated effectiveness pursuant to Section 19(b)(2) of the Act because trading in CountryBaskets is expected to begin on March 25, 1996. The Exchange believes that approval of the proposal should enhance the ability of specialists to make markets in such securities.

(B) Self-Regulatory Organization's Statement on Burdeon on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments on the proposed rule change were neither solicited or received.

III. Findings and Conclusions

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5)[5] that the rules of an exchange be designed to promote just and equitable principles of trade, prevent fraudulent and manipulative acts, and, in general, protect investors and the public interest.

The Commission believes that the Exchange's proposal to add Supplemental Material .10(7) to its Rule 104 to facilitate specialist market making in Units, including CountryBaskets, is consistent with the Act. The Exchange's proposal is limited to ''parity'' transactions on direct destabilizing ticks to bring Units, including CountryBaskets, into line with the value of their corresponding underlying component portfolio. Moreover, the only change being effected by the proposals is that such transactions would not require the Floor Official approval currently mandated by Rule 104. As discussed below, such transactions must still comply with all of the other requirements of NYSE Rule 104.

The Commission believes that it is appropriate to allow such transactions without Floor Official approval, given that the derivatives nature of Units in effect renders them equity securities that have a pricing and trading relationship linked to the portfolio upon which they are based. Hence, upon change in the underlying portfolio, a Units specialist may determine that it needs to engage in a ''parity'' transactions to bring Units into line with the value of the corresponding underlying portfolio. The requirement to secure Floor Official approval could delay the specialist from effecting such transactions, during which time the value of the portfolio could continue to move. The Commission believes, therefore, that it is reasonable for the Exchange to remove the need for Floor Official approval to address this situation. Direct destabilizing transactions that are leading, rather than following,the underlying portfolio would continue to require Floor Official approval.

The Commission notes that the Exchange's proposal does not relieve Units specialists from the general requirement of NYSE Rule 104 that they effect transactions that are reasonably necessary for them to maintain a fair and orderly market in Units. Units specialists also will remain subject to the specific obligations imp;imposed on them by rule 104. Thus, consistent wit the maintenance of a fair and orderly market, transactions for a specialists own account should be such that they maintain rice continuity with reasonable depth,and minimize the effects of temporary disparities between supply and demand.[6] Similarly, a specialist's quotation made for transactions on his own account should bear a proper relation to preceding transactions and anticipated succeeding transactions.[7] Finally, Unit specialist transactions will be subject to the Exchange's rules governing the auction market principles of priority. Parity, and precedence of orders.[8]

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the Federal Register. As discussed above, the Exchange's proposal is narrowly circumscribed to address certain situations that may arise in connection with specialist market making in Units, specifically CountryBaskets. Moreover, accelerated approval will allow specialists to avail themselves of the proposed provision from the inception of trading, expected to be March 25, 1996. Accordingly, the Commission believes that it is consistent with Section 6(b)(5) and 19(b)(2) of the Act to approve the proposed rule change on an accelerated basis.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the

[4] CountryBasket securities represent an interest in a registered investment company that will hold securities that are component stocks of nine different indices. The nine CountryBaskets are Australia, France, Germany, Hong Kong, Italy, Japan, South Africa, the United Kingdom and the United States.

[5] 15 U.S.C. 78f(b)(5) (1988).

[6] NYSE Rule 104, Supplementary material .10 (1)–(3).

[7] NYSE Rule 104, Supplementary Material .10(4).

[8] NYSE Rule 72.

Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to File No. SR–NYSE–96–04 and should be submitted by April 19, 1996.

V. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[9] that the proposed rule change (SR–NYSE–96–04) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[10]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7703 Filed 3–28–96; 8:45 am]

BILLING CODE 8010–01–M

[9] 15 U.S.C.78s(b)(2) (1988).

[10] 17 CFR 200.30–3(a)(12) (1993).

[Release No. 34–37005; File No. SR–Phlx–95–69]

Self-Regulatory Organizations; Philadelphia Stock Exchange, Inc.; Order Approving and Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change Relating to the Bid Test Exemption

March 21, 1996.

I. Introduction

On January 2, 1996, the Philadelphia Stock Exchange, Inc. ''Phlx'' or ''Exchange'') submitted to the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposal to extend its market maker bid test exemption. The proposed rule change was published for comment in the Federal Register on February 7, 1996.[3] On March 20, 1996, the Phlx filed Amendment No. 1 to its proposal.[4] No comments were received on the proposed rule change. This order approves the proposal.

II. Description of the Proposal

The Phlx proposes to amend its Rule 1072, Reporting Requirements Applicable to Short Sales in NASD/NM Securities, which establishes specific criteria exempting Phlx specialists and Registered Option Traders (''ROTs'') from the National Association of Securities Dealers, Inc. (''NASD'') ''bid test'' applicable to Nasdaq National Market (''NM'') securities.[5] Specifically, the Phlx proposes to extend its market maker exemption to: (1) permit a ROT to facilitate an off-floor options or combination order hedged contemporaneously with a short sale in a designated NM security, with prior Floor Official approval and the filing of a written report; and (2) allow the exemption to apply to a company that is involved in a publicly announced merger or acquisition (''M&A'') with an NM security. The Exchange has represented that its proposed exemptions are similar to rule provisions of other options exchanges.[6]

In 1994, the NASD adopted a bid test rule applicable to NM securities traded through Nasdaq prohibiting short sales of NM securities at or below the current inside bid when that bid is below the previous inside bid.[7] An exemption from this rule exists for option market makers hedging positions with the underlying securites of that option; qualifying short sales are referred to as ''exempt hedge transactions.'' Pursuant to this market maker exemption, the Phlx adopted Rule 1072 establishing specific criteria for a short sale to qualify as an ''exempt hedge transaction'' in ''designated'' NM issues.[8] Generally, option specialists may designate as exempt short sales in NM securites underlying their specialist equity options, and index options if at least 10% of the value of the index is comprised of NM securites. A ROT only may designate as exempt short sales in NM securites underlying no more than 20 of the options or index options to which the ROT has been assigned.

Facilitating Orders

Proposed Phlx Rule 1072(c)(2)(ii)(A) would permit a ROT to facilitate an off-floor options order and contemporaneously hedge the resulting option position with a short sale in applicable NM securites as if such securities were designated securities pursuant to the Rule.[9] To ensure that the transaction qualifies for the proposed provision, a ROT must file a written report with the Market Surveillance Department of the Exchange, indicating Floor Official approval. Such ROT also must retain a copy of the report to demonstrate that the transaction was bid test exempt.

M&A Transactions

Proposed Phlx Rule 1072(c)(2)(ii)(B) would extend the bid test exemption to include a short sale in an M&A security effected by a qualified Exchange options market maker to hedge, and which in fact serves to hedge, an existing or prospective position in an Exchange-listed option overlying a designated NM security of another company that is a party to the M&A.[10] The M&A exemption only would be available to securities involved in an M&A that is publicly announced.

As applied to the Phlx specialist, the proposed exemption would apply to short sales of a company that is party to an M&A with a company whose NM security underlies a specialty stock option (or qualified index option). As applied to a Phlx ROT, the exemption would extend to a company that is party to an M&A with a company whose NM security underlies an option designated by such ROT.

III. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the

[1] 15 U.S.C. § 78s(b)(1) (1988).

[2] 17 CFR 240.19b–4 (1994).

[3] *See* Securities Exchange Act Release No. 36785 (January 29, 1996), 61 FR 4697.

[4] In Amendment No. 1, the Phlx clarifies that proposed Phlx Rule 1072(c)(ii)(2) applies only to option orders that do not have a stock component. Letter from Gerald D. O'Connell, First Vice President, Market Regulation and Trading Operations, Phlx, to Michael Walinskas, Branch Chief, Office of Market Supervision, Division of Market Regulation, Commission, dated March 20, 1996 (''Amendment No. 1'').

[5] ''Bid test'' or ''short sale'' rule.

[6] Respecting facilitation orders, *see* Securities Exchange Act Release No. 35281 (January 26, 1995), 60 FR 6575 (Chicago Board Options Exchange (''CBOE'')); and respecting M&A securities, *see* Securities Exchange Act Release Nos. 35211 (January 10, 1995), 60 FR 3887 (American Stock Exchange (''Amex'')), CBOE, and Pacific Stock Exchange (''PSE'') as well as 36019 (July 24, 1995), 60 FR 39035 (New York Stock Exchange (''NYSE'')).

[7] Securities Exchange Act Release No. 34277 (June 6, 1994), 59 FR 34885 (granting temporary approval). NASD Rules of Fair Practice, Art. III, Section 48.

[8] Securities Exchange Act Release No. 34632 (September 2, 1994), 59 FR 46999. In general, an ''exempt hedge transaction'' is a short sale in an NM security that is effected to hedge, and in fact serves to hedge, an existing offsetting options position or an offsetting options position that was created in one or more transactions contemporaneous with the short sale. Phlx Rule 1072(c)(2)(i).

The other options exchanges adopted rules similar to Phlx Rule 1072. *See* CBOE Rule 15.10, NYSE Rule 759A, Amex Rule 957, and PSE Rule 4.19. Securities Exchange Act Release No. 34632.

[9] The exemption would apply to option-only orders. Thus, the exemption would not apply to combination orders that contain a stock component. Amendment No. 1, *supra* note 4.

[10] M&A securities are securities of a company that is a party or prospective party to a publicly announced merger or acquisition with an issuer of an NM security that underlies an Exchange listed option.

requirements of Section 6(b)(5) [11] that the rules of an exchange be designed to promote just and equitable principles of trade, prevent fraudulent and manipulative acts, and, in general, protect investors and the public interest. The Commission approved the NASD's short sale rule proposal on June 29, 1994,[12] and in so doing stated that the short sale rule, together with the market maker exemption, is a reasonable approach to regulating short sales of Nasdaq/NM securities. The Commission believes that the Exchange's proposal is consistent with the NASD's bid test rule and addresses the limitations established by the NASD concerning the applicability of the market maker exemption.

Proposed Phlx Rule 1072(c)(2)(ii)(A) will allow a ROT, with prior Floor Official approval, to facilitate an off-floor options order, and contemporaneously hedge the resulting options position with a short sale in an applicable Nasdaq/NM security as if such security were a designated Nasdaq/NM security. The exemption would not apply to orders that contain a stock component.[13] The ROT must file a report describing the transaction with the Exchange's Market Surveillance Department and must retain a copy of the report to demonstrate the transaction was bid test exempt. The Commission believes that this provision is consistent with the NASD's interpretation regarding hedging activities associated with the facilitation of customer transactions in options and that the procedures for reporting a transaction under the provision will ensure adequate monitoring.[14]

Proposed Phlx Rule 1072(c)(2)(ii)(B) would extend the market maker exemption to the stock of a company that is involved in a publicly announced M&A with a company whose stock is a designated Nasdaq/NM security. The Commission believes that when a designated Nasdaq/NM security becomes involved in an M&A, options specialists and ROTs may need to hedge positions in options overlying the designated Nasdaq/NM security by buying or selling the securities of the other company involved in the M&A, whether or not the other company's stock has listed overlying options. Indeed, where there are no options on the other company's stock, buying or selling that company's stock at times may be the only feasible way for an options specialist or ROT to hedge positions in options on the designated Nasdaq/NM security, given the risk arbitrage relationship that is likely to exist between the two stocks. Therefore, the Commission believes that by allowing options specialists and ROTs to sell short, for hedging purposes, shares of a company that is involved in an M&A with a company whose stock is a designated Nasdaq/NM security, and to designate such sales as bid test exempt, the Exchange's proposal will enhance the ability of its specialists and ROTs to perform their functions, thereby contributing to the liquidity of the market for options, as well as to the liquidity of the market for the stocks of both companies.

The Commission notes that the proposed extension of the market maker exemption from the short sale rule is limited to publicly announced M&As. Moreover, options specialists and ROTs may avail themselves of the M&A extension to the exemption only when the short sales are made to hedge existing or prospective positions in options on a security of another company involved in the M&A, the options positions are or will be in a class of options for which the options specialist or ROT is registered, and the short sales are or will be ''exempt hedge transactions'' as defined in the Exchange's rules.

The Commission finds good cause for approving Amendment No. 1 prior to the thirtieth day after the date of publication of notice of filing thereof in the Federal Register. Amendment No. 1 clarifies that the Exchange's proposed exemption for facilitating off-floor options orders does not extend to orders with a stock component. The Commission believes that this change does not raise new or unique regulatory issues, as it is consistent with a similar provision previously approved by the Commission.[15] Therefore, the Commission believes it is consistent with Sections 6(b)(5) and 19(b)(2) of the Act [16] to approve Amendment No. 1 to the proposal on an accelerated basis.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning Amendment No. 1. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the CBOE. All submissions should refer to File No. SR–Phlx–95–69 and should be submitted by April 19, 1996.

V. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[17] that the proposed rule change (SR–Phx–95–69), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[18]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7700 Filed 3–28–96; 8:45 am]

BILLING CODE 8010–01–M

[11] 15 U.S.C. 78f(b)(5) (1988).

[12] Securities Exchange Act Release No. 34277, *supra* note 7.

[13] Amendment No. 1, *supra* note 4.

[14] *See* letter from Richard G. Ketchum, Chief Operating Officer and Executive Vice President, NASD, to David A. Dami, First Vice President & Associate General Counsel, Global Derivatives, Paine Webber, Inc., dated September 13, 1994.

[15] *See* Securities Exchange Act Release No. 35281, *Supra* note 6.

[16] 15 U.S.C. § § 78f(b)(5) and 78s(b)(2) (1988).

[17] 15 U.S.C. 78s(b)(2) (1988).

[18] 17 CFR 200.30–3(a)(12) (1993).

[Release No. 34–37004; File No. SR–Phlx–95–79]

Self-Regulatory Organizations; Philadelphia Stock Exchange, Inc.; Order Approving Proposed Rule Change Relating to the Bid Test Exemption

March 21, 1996.

I. Introduction

On January 2, 1996, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') submitted to the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder, [2] a proposal to extend its market maker bid test exemption. The proposed rule change was published for comment in the Federal Register on February 7, 1996.[3] No comments were

[1] 15 U.S.C. 78s (b)(1) (1988).

[2] 17 CFR 240.19b–4 (1994).

[3] *See* Securities Exchange Act Release No. 36784 (January 29, 1996), 61 FR 4694.

received on the proposed rule change. This order approves the proposal.

II. Description of the Proposal

The Phlx proposes to amend its Rule 1072, Reporting Requirements Applicable to Short Sales in NASD/NM Securities, to permit affiliated Registered Option Traders (''ROTs'') to trade for each other's accounts pursuant to the market maker exemption contained therein. Rule 1072 establishes specific criteria exempting Phlx specialists and ROTs from the National Association of Securities Dealers, Inc.'s (''NASD'') ''bid test'' applicable to Nasdaq/National Market (''NM'') securities.[4]

In 1994, the NASD adopted a bid test rule applicable to NM securities traded through Nasdaq prohibiting short sales of NM securities at or below the current inside bid when that bid is below the previous inside bid.[5] An exemption from this rule exists for option market makers hedging positions with the underlying securities of that option; qualifying short sales are referred to as ''exempt hedge transactions.'' Pursuant to this market maker exemption, the Phlx adopted Rule 1072 establishing specific criteria for a short sale to qualify as an ''exempt hedge transaction'' in ''designated'' NM issues.[6] Generally, option specialists may designate as exempt short sales in NM securities underlying their specialist equity options, and index options if at least 10% of the value of the index is comprised of NM securities. A ROT only may designate as exempt short sales in NM securities underlying no more than 20 of the options or index options to which the ROT has been assigned.

Proposed Phlx Rule 1072(c)(2)(iii)(A) would allow a ROT to effect bid test exempt short sales in a Nasdaq/NM security which that ROT has not designated as qualifying for the exemption, provided that the security is a designated Nasdaq/NM security of another ROT of the same member organization, and further provided that such other ROT is not also present or represented by a Floor Broker in the same trading crowd at the time of the bid test exempt sale. The Exchange notes that this amendment is similar to a CBOE provision that permits nominees of a market maker organization to qualify for the exemption.[7]

III. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of Section 6(b)(5)[8] that the rules of an exchange be designed to promote just and equitable principles of trade, prevent fraudulent and manipulative acts, and, in general, protect investors and the public interest. The Commission approved the NASD's short sale rule on June 29, 1994,[9] and in so doing stated that the short sale rule, together with the market maker exemption, is a reasonable approach to regulating short sales of Nasdaq/NM securities. The Commission believes that the Exchange's proposal is consistent with the NASD's bid test rule and addresses the limitations established by the NASD concerning the applicability of the market maker exemption.

Proposed Phlx Rule 1072(c)(2)(iii)(A) will give a member organization more flexibility to manage its market making obligations by allowing a ROT of such organization to effect short sales of securities as bid test exempt even though the ROT has not designated such securities as bid test exemption eligible, Provided that the securities have been designated bid test exempt eligible by another nominee of the same member organization, and further provided that the bid test exempt eligible ROT is not present on the trading floor. The Commission believes this is a reasonable provision designed to address instances where a ROT is absent from the trading floor due to illness, or personal or other business. The Commission further believes that this provision is consistent with the intent of the market maker exemption to the short sale rule, in that the exemption continues to be limited to those Nasdaq/NM securities which are used to hedge options transactions in the primary classes in which the member organization makes markets.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[10] that the proposed rule change (SR–Phlx–95–79) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[11]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–7702 Filed 3–28–96; 8:45 am]

BILLING CODE 8010–01–M

[4] ''Bid test'' or ''short sale'' rule.

[5] Securities Exchange Act Release No. 34277 (June 6, 1994), 59 FR 34885 (granting temporary approval). NASD Rules of Fair Practice, Art. III, Section 48.

[6] Securities Exchange Act Release No. 34632 (September 2, 1994), 59 FR 46999. In general, an ''exempt hedge transaction'' is a short sale in an NM security that is effected to hedge, and in fact serves to hedge, an existing offsetting options position or an offsetting options position that was created in one or more transactions contemporaneous with the short sale. Phlx Rule 1072(c)(2)(i). The other options exchanges adopted rules similar to Phlx Rule 1072. *See* CBOE Rule 15.10, NYSE Rule 759A, Amex Rule 957, and PSE Rule 4.19. Securities Exchange Act Release No. 34632.

[7] Securities Exchange Act Release No. 35281 (January 26, 1995), 60 FR 6575.

[8] 15 U.S.C. 78f(b)(5) (1988).

[9] Securities Exchange Act Release No. 34277, *supra* note 5.

[10] 15 U.S.C. 78s(b)(2) (1988).

[11] 17 CFR 200.30-3(a)(12) (1993).

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Collection Request

Normally on Fridays, the Social Security Administration publishes a list of information collection packages that will require submission to the Office of Management and Budget (OMB) for clearance in compliance with Pub. L. 104–13 effective October 1, 1995, The Paperwork Reduction Act of 1995. Since the last list was published in the Federal Register on March 15, 1996, the information collections listed below have been proposed or will require extension of the current OMB approvals:

(Call the SSA Reports Clearance Officer on (410) 965–4142 for a copy of the form(s) or package(s), or write to her at the address listed below the information collections)

1. Application for a Social Security Card—0960–0066. The information collected on form SS–5 is used by the Social Security Administration to assign Social Security Numbers so that individuals may obtain employment, report earnings, open bank accounts, pay taxes, apply for benefits and for other purposes. The affected public consists of individuals who apply for Social Security Numbers.

Number of Respondents: 20,000,000.

Frequency of Response: 1.

Average Burden Per Response: 8 minute.

Estimated Annual Burden: 2,666,667 hours.

2. Statement Regarding Date of Birth and Citizenship—0960–0016. The information collected on form SSA–702 is used by the Social Security Administration in conjunction with other evidence to establish a claimant's age or citizenship when better proofs are not available. The affected public consists of individuals who have

knowledge of the birth and citizenship of an applicant.

Number of Respondents: 18,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 3,000.

3. Application for Mother's or Father's Insurance Benefits—0960–0003. The information collected on form SSA–5 is used by the Social Security Administration to determine an applicant's eligibility to mother's or father's insurance benefits. The affected public comprises individuals who wish to file an application for such benefits.

Number of Respondents: 180,000.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 45,000 hours.

4. Marriage Certification—0960–0009. The information collected on form SSA–3 is needed to provide evidence of an alleged marriage. Social Security uses the information to update records of marital status of an individual. The affected public comprises persons who apply for Social Security benefits and allege a current marriage.

Number of Respondents: 20,000.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 16,667 hours.

5. Report on Individual with Childhood Impairment—0960–0084. The information collected by SSA–1323 is used to determine the dates and results of psychometric testing and how the impairment affects the individual's progress in school. The affected public comprises public and private school officials and agencies which provide medical treatment to the applicant or claimant for benefits.

Number of Respondents: 7,000.

Average Burden Per Response: 20 minutes.

Estimated Annual Burden: 2,333.

6. Report on Individual with Mental Impairment—0960–0058. The information collected on form SSA–824 is used to determine a claimant's physical and mental status prior to making a disability determination. The affected public consists of treating physicians, medical directors, medical record libraries, and other health professionals.

Number of Respondents: 50,000.

Average Burden Per Response: 36 minutes.

Estimated Annual Burden: 30,000.

7. Claimant's Recent Medical Treatment—0960–0292. The information collected on form HA–4631 is used by the Social Security Administration to provide an updated medical history for a disability claimant who requests a hearing. The respondents are claimants for disability benefits who have requested a hearing and do not have updated medical evidence in file.

Number of Respondents: 211,006.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 35,168.

8. Request for Review of Hearing Decision/Order—0960–0277. The information collected on form HA–520 is needed in order to afford claimants their statutory right under the Social Security Act to request review of a hearing decision. The data will be used to determine the course of action appropriate to resolve each issue. The affected public are claimants denied or dissatisfied with a decision made regarding their claim.

Number of Respondents: 87,632.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 14,605.

9. Claimant's Work Background—0960–0300. The information collected on form HA–4633 is used by the Social Security Administration in cases in which claimants for disability benefits have requested a hearing on the decision regarding their claim. A completed form provides an updated summary of a claimant's past relevant work and helps the Administrative Law Judge to better decide whether or not the claimant is disabled. The respondents are claimants who have requested a hearing and whose relevant work background is not in file.

Number of Respondents: 200,958.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 50,240.

10. Medical Use Report, 20 CFR 416.268–0960–0552. The information required by this regulation is used by the Social Security Administration to determine if an individual is entitled to special Supplemental Security Income (SSI) payments. The respondents are SSI recipients whose payments were stopped based on earnings.

Number of Respondents: 25,000.

Frequency of Response: 1.

Average Burden Per Response: 3 minutes.

Estimated Annual Burden: 1,250.

Written comments and recommendations regarding these information collections should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Charlotte S. Whitenight, 6401 Security Blvd., 1–A–21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

Dated: March 21, 1996.

Charlotte Whitenight,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 96–7376 Filed 3–28–96; 8:45 am]

BILLING CODE 4190–29–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Intent To Prepare Environmental Impact Statement, Ft. Lauderdale-Hollywood International Airport, Ft. Lauderdale, FL

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of Intent.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advertise to the public that an Environmental Impact Statement (EIS) will be prepared and considered for the proposed extension of Runway 9R–27L to 9,000 feet and widening to 150 feet at Ft. Lauderdale-Hollywood International Airport.

FOR FURTHER INFORMATION CONTACT: Mr. Bart Vernace, Federal Aviation Administration, Orlando Airports district Office, 9677 tradeport Drive, Suite 130, Orlando, Florida 32827–5397, (407) 648–6583, extension 27.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA, in cooperation with Broward County, Florida, will prepare an Environmental Impact Statement (EIS) for a proposed project to lengthen and widen Runway 9R–27L at the Ft. Lauderdale-Hollywood International Airport (FLL) to 9,000 feet x 150 feet for air carrier aircraft use. The existing runway (5,276 feet x 100 feet) accommodates general aviation and commuter aircraft, but the Airport Master Plan (AMP) accepted on April 19, 1995, indicated that significant future airfield congestion and aircraft delay could be anticipated without some modification to the existing airfield facilities.

Extension of the existing parallel and connecting taxiways is also proposed. The proposed project would entail construction activity on airport property (i.e., site preparation, drainage, paving, marking, lighting, fencing, NAVAIDS, obstruction clearing, environmental mitigation, and other associated work required for the runway extension).

The extended runway is planned as a precision instrument runway (PIR) with a CAT I approach to both Runway 27L and Runway 9R. The runway will have approach slopes of 50:1 to Runway 27L and 50:1 to Runway 9R with a primary surface width of 1,000 feet.

The EIS will include evaluation of a no-build alternative and other reasonable alternatives that may be identified during the agency and public scoping meetings. The proposed runway extension would provide sufficient airfield capacity and flexibility at FLL to accommodate expected aircraft demand through the year 2012. The increased capacity provided by the proposed project would result in a significant decrease in average aircraft delay times from the projected no-build conditions.

Increased use of the extended runway by air carrier aircraft will result in changes in runway use. The EIS will determine any noise impacts associated with changes in runway use. In addition to noise impacts, the EIS will determine any impacts on air and water quality, wetlands, ecological resources, floodplains, historic resources, hazardous wastes, coastal zone management, socioeconomics and economic factors.

PUBLIC SCOPING: To ensure that the full range of issues related to the proposed project are addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties. An agency scoping meeting and a general public scoping meeting to identify significant issues will be held on May 1, 1996, in Ft. Lauderdale, Florida.

The agency scoping meeting will be held at 10:00 a.m. at Terminal 2 Conference Room, Fort Lauderdale-Hollywood International Airport, 200 Terminal Drive, Fort Lauderdale, Florida 33315. The Public scoping meeting will be conducted between 6:00 p.m. and 8:00 p.m. at Saint Jerome Activity Center, 2601 Southwest 9th Avenue, Fort Lauderdale, Florida 33315.

Written comments may be mailed to the Informational contact listed above within 30 days following the scoping meeting.

Questions may be directed to the individual names above under the heading, **FOR FURTHER INFORMATION CONTACT:**

Issued in Orlando, Florida, March 22, 1996.

Charles E. Blair, Manager,

Orlando Airports District Office.

[FR Doc. 96–7762 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–73–M

[Summary Notice No. PE–96–14]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before April 18, 1996.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC–200), Petition Docket No. ________, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: nprmcmts@mail.hq.faa.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue SW., Washington, D.C. 20591; telephone (202) 267–3132.

FOR FURTHER INFORMATION CONTACT: Mr. D. Michael Smith, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–7470.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 28439.

Petitioner: USA Jet Airlines, Inc.

Sections of the FAR Affected: 14 CFR 121.139(a)

Description of Relief Sought: To permit USA Jet Airlines, Inc., (USA Jet) to carry facsimile machines abroad its aircraft in lieu of appropriate parts of its maintenance manual. These facsimile machines would enable USA Jet employees to receive aircraft maintenance technical data via facsimile from Maintenance Control, which is located at the air carrier's main base, when the aircraft is away from that base.

Docket No.: 28485.

Petitioner: Polar Air Cargo.

Sections of the FAR Affected: 14 CFR 121.583(a)(8).

Description of Relief Sought: To permit Polar Cargo to transport employee dependents to any destination without complying with certain passenger-carrying requirements of part 121, without the dependent being accompanied by an employee, and without regard as to whether the employee is traveling on company business.

Dispositions of Petitions

Docket No.: 127CE.

Petitioner: Beech Aircraft Corporation.

Sections of the FAR Affected: 14 CFR 23.807(d)(1)(i).

Description of Relief Sought/ Disposition: To permit type certification of the Beech Model B300 and B300C airplanes with one emergency exit in the cabin opposite the main entrance door, which will not comply with § 23.807(d)(1)(i). The Beech Model B300 and B300C are twin turbopropeller engine, fifteen passenger airplanes, certificated in the commuter category. *GRANT, March 5, 1996, Exemption No. 6405.*

Docket No.: 13199.

Petitioner: American Airlines.

Sections of the FAR Affected: 14 CFR 61.55(b)(2); 61.56(c)(1); 61.57 (c) and (d); 61.63 (c)(2) and (d)(2) and (3); 61.65 (c), (e)(2) and (3), and (g); 61.67(d)(2); 61.157 (d)(1) and (2) and (e)(1) and (2); 61.191(c); and appendix A, part 61.

Description of Relief Sought/ Disposition: To extend Exemption No. 4652, as amended, which permits American Airlines to use FAA-approved simulators to meet certain flight experience requirements of part 61. *GRANT, February 27, 1996, Exemption No. 4652E.*

Docket No.: 23921.
Petitioner: FlightSafety International.
Sections of the FAR Affected: 14 CFR 61.55(b)(2); 61.56(c)(1); 61.57 (c) and (d); 61.58 (c)(1) and (d); 61.63 (c)(2) and (d)(2) and (3); 61.65 (c), (e)(2) and (3), and (g); 61.67(d)(2); 61.157 (d)(1) and (2) and (e)(1) and (2); 61.191(c); and appendix A, part 61.
Description of Relief Sought/ Disposition: To extend Exemption No. 5317, as amended, which permits FlightSafety International to use FAA-approved simulators to meet certain flight experience requirements of part 61. *GRANT, February 27, 1996, Exemption No. 5317E.*

Docket No.: 25483.
Petitioner: Air Transport Association of America.
*Sections of the FAR Affected:*14 CFR part 43, 45.11 (a) and (d), and 91.417(d).
Description of Relief Sought/ Disposition: To extend Exemption No. 4902, as amended, which allows all aircraft operating under parts 121 and 127 and all aircraft operating in commuter air carrier operations (as defined in part 135 and SFAR 38–4) under an FAA-approved continuous airworthiness maintenance program, to be operated without complying with the requirements pertaining to (1) the location of aircraft identification plates and (2) the carriage of FAA Form 337 as evidence of installation approval for fuel tank installation in the passenger or baggage compartment. *GRANT, February 28, 1996, Exemption No. 4902E.*

Docket No.: 25940.
Petitioner: Air Transportation.
Sections of the FAR Affected: 14 CFR 43.3(g).
Description of Relief Sought/ Disposition: To extend and amend Exemption No. 5149, as amended, which permits Mr. Charles N. Saulisberry, as pilot and owner of Air Transportation, to remove and reinstall the passenger seats in your Cessna 182–C aircraft, which is used in operations conducted under part 135. The amendment shows the replacement of the Cessna 182–C with a Cessna 182–Q. *GRANT, February 28, 1996, Exemption No. 5149C.*

Docket No.: 28374.
Petitioner: Gulf Air Taxi, Inc.
Sections of the FAR Affected: 14 CFR 43.3(g).
Description of Relief Sought/ Disposition: To permit appropriately trained pilots employed by Gulf Air Taxi, Inc., (Gulf Air) to remove and reinstall the passenger seats in its aircraft that are type certificated for nine of fewer passenger seats and used in operations conducted by Gulf Air under part 135. *GRANT, March 1, 1996, Exemption No. 6404.*

Docket No.: 28428.
Petitioner: Mr. Nellis C. Dye.
Sections of the FAR Affected: 14 CFR 121.383(c).
Description of Relief Sought/ Disposition: To permit Mr. Nellis to act as a pilot in operations conducted under part 121 after reaching his 60th birthday. *DENIAL, February 27, 1996, Exemption No. 6403.*

Docket No.: 28433.
Petitioner: Premair Airlines, Inc.
Sections of the FAR Affected: 14 CFR 119.2(b).
Description of Relief Sought/ Disposition: To permit Premair Airlines, Inc., (PAI) to complete its initial certification process and be issued an air carrier certificate and operations specifications that would permit PAI to conduct its operations in accordance with part 135 rather than in accordance with part 121. *DENIAL, February 27, 1996, Exemption No. 6402.*

[FR Doc. 96–7766 Filed 3–28–96; 8:45 am]
BILLING CODE 4910–13–M

RTCA, Inc., Special Committee 185; Aeronautical Spectrum Planning Issues

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 185 meeting to be held on April 16–18, starting at 9:00 a.m. The meeting will be held at RTCA, 1140 Connecticut Avenue NW., Suite 1020, Washington, DC 20036.

The agenda will be as follows: (1) Administrative Remarks; (2) Introductions; (3) Approval of the Agenda; (4) Review and Approval of the Summary of the Previous Meeting; (5) Review Draft Version 7 of SC–185 Report; (6) Develop Conclusions and Recommendations; (7) Other Business; (8) Date and Place of Next Meeting.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, N.W., Suite 1020, Washington, DC 20036; (202) 833–9339 (phone) or (202)–833–9434 (fax). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on March 25, 1996.

Janice L. Peters,
Designated Official.

[FR Doc. 96–7760 Filed 3–28–96; 8:45 am]
BILLING CODE 4810–13–M

RTCA, Inc., Special Committee 182; Minimum Operational Performance Standards (MOPS) for an Avionics Computer Resource (ACR)

Pursuant to section 10(a)(2) of the Federal Advisory Committee (P.L. 92–463, 5 U.S.C., Appendix 2), notice is hereby given for Special Committee 182 meeting to be held April 17–19, 1996, starting at 9:00 a.m. The meeting will be held at RTCA, Inc., 1140 Connecticut Avenue, N.W., Suite 1020, Washington, DC, 20036.

The agenda will include: (1) Chairman's Introductory Remarks; (2) Review and Approval of Meeting Agenda; (3) Review and Approval of Minutes from the Previous Meeting; (4) MOPS Draft 0.2: Section 2.1.2, General Requirements, Intended Functions (Characteristics of Relocatable Object Code; Characteristics of Aircraft Interface; Characteristics of Portable Application Software); (5) MOPS Draft 0.2, Section 3.2, Installed Equipment Performance Requirements (Considerations for Initial Appliance Approval; Considerations for Subsequent Approvals); (6) Update Glossary (Confirm January Definitions; Hierarchy Definition of Failure, Fault, and Error); (7) Propose DO–178B Objectives Satisfied Independent of Target; (8) Other Business; (9) Date and Place of Next Meeting.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting.

Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue NW., Suite 1020, Washington, D.C. 20036; (202) 833–9339 (phone) or (202) 833–9434 (fax). Members of the public may present a written statement to the committee at any time.

Issued in Washington, D.C., on March 25, 1996.

Janice L. Peters,
Designated Official.

[FR Doc. 96–7761 Filed 3–28–96; 8:45 am]
BILLING CODE 4810–13–M

Federal Highway Administration

[FHWA Docket No. MC–96–13]

Commercial Driver's License Program; Temporary Waiver For Trekking International Overland Expedition

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of petition; request for comments.

SUMMARY: The FHWA is requesting public comment on a petition submitted by Trekking International on January 24, 1996, for relief from the requirements of the commercial driver's license (CDL) regulations (49 CFR Part 383). The FHWA is considering whether it should grant a waiver from the CDL testing and licensing standards to drivers participating in the Overland Expedition. The Overland Expedition consists of four Iveco 330.30 ANW 6x6 trucks which are being driven from Rome, Italy, to New York City, by foreign licensed employees of the Petitioner. The requested waiver would be temporary, ending with the shipment of the four vehicles to Italy on or before June 1, 1996. The FHWA requests public comment on whether, if granted, the requested waiver would be contrary to the public interest or diminish the safe operation of commercial motor vehicles.

DATES: Comments must be received on or before April 8, 1996.

ADDRESSES: All signed, written comments should refer to the docket number that appears at the top of this document and should be submitted to the Federal Highway Administration, Room 4232, Office of Chief Counsel, HCC–10, 400 Seventh Street SW., Washington, DC 20590–0001. All comments received will be available for examination at the above address from 8:30 a.m. to 3:30 p.m., e.t., Monday through Friday, except Federal holidays. Commenters who want to be notified that the FHWA received their comments should include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Redmond, Office of Motor Carrier Research and Standards, (202) 366–4001, or Mr. Raymond W. Cuprill, Office of the Chief Counsel, HCC–20, (202) 366–0834, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590–0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

The Commercial Driver's License (CDL) regulations, issued pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII, Pub. L. 99–570, 100 Stat. 3207) (49 U.S.C. 31301 *et seq.*), are found at 49 CFR Part 383 (1995). Section 383.23 of the regulations sets forth the general rule that no person shall operate a commercial motor vehicle (CMV) unless such person: (1) has taken and passed a knowledge test and, if applicable, a driving test, which meets Federal standards, and (2) possesses a CDL, which is evidence of having passed the required tests. These Federal standards ensure that drivers of a CMV: (1) have a single driver's license and a single driving record, (2) are tested for the knowledge and skills needed to drive a vehicle representative of the vehicle that they will be licensed to drive, and (3) are disqualified from driving a CMV when convicted of certain criminal or traffic violations.

The term ''commercial motor vehicle'' is defined to include, a motor vehicle:

(1) With a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating (GVWR) of more than 10,000 pounds; or

(2) With a GVWR of 26,001 or more pounds; or

(3) Designed to transport 16 or more passengers, including the driver; or

(4) Used in the transportation of quantities of hazardous materials which require the vehicle to be placarded under the Hazardous Materials Transportation Regulations (49 CFR part 172, subpart F). 49 CFR 383.5 (1995).

CDL Waivers

Section 12012 of the Commercial Motor Vehicle Safety Act of 1985 (49 U.S.C. 31315) authorizes the Secretary of Transportation to waive any class of drivers or vehicles from any or all of the provisions of the Act or the implementing regulations if the Secretary determines that the waiver is not contrary to the public interest and does not diminish the safe operation of commercial motor vehicles. The regulatory procedures governing the issuance of waivers are found at 49 CFR 383.7 (1995).

The FHWA has granted a CDL waiver to military personnel operating military vehicles and has authorized the States to waive certain farmers, firefighters and operators of emergency equipment in implementing the CDL regulations. See 53 FR 37313, September 26, 1988. The agency also authorized the States to waive, at their option, employees of farm-related service industries (custom harvesters, retail outlets and suppliers, agri-chemical businesses, and livestock feeders) from the CDL knowledge and skill testing requirements, and issue these employees restricted CDLs for a seasonal period or periods not to exceed a total of 180 days in any 12-month period, subject to certain conditions. See 57 FR 13650, April 17, 1992. More recently, the FHWA authorized the States to, at their option, waive part-time drivers for the pyrotechnics industry from the CDL endorsement tests for hazardous materials, when the drivers are transporting less than 500 pounds of fireworks, classified as DOT Class 1.3G explosives, during the period from June 30 through July 6 of each year. See 60 FR 34188, June 30, 1995.

Petition

Trekking International of Milan, Italy, through its North American coordinator, Circumpolar Expeditions of Anchorage, Alaska, has petitioned the FHWA to grant a CDL waiver to drivers involved in the Overland Expedition. The goal of the Overland Expedition is to drive four (4) Iveco 330.30 ANW 6x6 trucks 15,000 miles from Rome, Italy, to New York City, New York, over land via the Russian Far East, the Bering Strait and Alaska, a feat never before accomplished. In addition to being the first trucks driven from Europe to North America, the Expedition will demonstrate the quality of Iveco trucks and serve to mark the 20th Anniversary of the Iveco Truck Division of the Fiat Group. The Expedition will be entering the United States shortly and will be operating the vehicles in North America through April of 1996. Once the Expedition is completed, the trucks will be shipped back to Italy. The Petitioner expects the vehicles to be shipped on or before June 1, 1996. None of these vehicles are being imported into the United States.

The Petitioner asserts that the requested waiver would be temporary and only be applicable to those foreign employees driving the four vehicles that are participating in the Expedition. These employees are professional operators of commercial motor vehicles licensed in Italy and have from 15 to 20 years of driving experience. The Petitioner has submitted a copy of the Roadway Code of Italy, Law No. 285 dated April 30, 1992, which provides the requirements applicable to these commercial operators. A copy of this law and a provided translated summary is available in the docket for examination by the public. The following Italian licensed commercial drivers will be participating in the expedition:

Name	License No.	Issued	Classification
Gregorio Camevale	1300267	8/7/95	ABCDE.
Carlo Marocco	1291175	9/4/95	ABCDE.
Erhard Mayer	A26995	8/28/95	ABCDE.
Vicenzo Leone	1291174	9/11/95	ABCDE.
Emilio Altamore	1247556	9/4/95	ABCDE.
Francesco Miranda	1247557	9/4/95	ABCDE.

The Petitioner has agreed to comply with other applicable Federal Motor Carrier Safety Regulations (FMCSRs), including financial responsibility, vehicle marking, driver physical qualification, vehicle inspection and hours of service requirements.

Request for Public Comment and Proposed Waiver

The FHWA is requesting public comment as to whether the grant of the requested temporary waiver from the CDL requirements would be contrary to the public interest or would diminish the safe operation of CMVs. Commenters are invited to address whether the waivers should be subject to conditions, such as the following conditions being considered by the FHWA.

Waiver Conditions

(1) Drivers covered—the waiver would cover foreign drivers employed by the Petitioner, listed above, while participating in the Overland Expedition. The drivers would be required to hold a valid Italian commercial driver's license to operate the vehicles listed in condition #3.

(2) Duration—the waiver from the CDL requirements would only be valid through June 1, 1996.

(3) Vehicles—the waiver would be limited to the operation of the four vehicles participating in the Overland Expedition and identified with the following vehicle identification numbers and license plates:

a. WJMH3GMSM09015805 (plate no. A658095)
b. WJMH3GMSM09015766 (plate no. A658096)
c. WJMH3GMSM09015814 (plate no. A658097)
d. WJMH3GMSM09015669 (plate no. A658098)

(4) Compliance with FMCSRs—Drivers covered by the waiver would be required to comply with other applicable requirements of the Federal Motor Carrier Safety Regulations, including financial responsibility, vehicle marking, driver physical qualification, vehicle inspection and hours of service requirements.

Commenters are strongly encouraged to provide any facts or views pertaining to the requested waiver.

Authority: Title XII of Pub. L. 99–570, 100 Stat. 3207; 49 U.S.C. 31301 *et seq.*; 49 U.S.C. 31315; 49 CFR 1.48; 49 CFR 383.7; 23 U.S.C. 315.

Issued on: March 25, 1996.

Rodney E. Slater,

Federal Highway Administrator.

[FR Doc. 96–7759 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–22–P

National Highway Traffic Safety Administration

[Docket No. 95–20; Notice 3]

Child Safety Seats; Agreement Between General Motors and U.S. Department of Transportation

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice; Request for Certifications.

SUMMARY: This notice, the third of its kind, describes an agreement between General Motors (GM) and the U.S. Department of Transportation (DOT), under which GM has agreed to donate funds to one or more qualified national organizations for the purchase and distribution of child safety seats. Organizations that wish to receive such funds are required to certify in writing that they are qualified, in accordance with criteria established in the agreement. To qualify, organizations must demonstrate that they are national in scope, and they must submit a plan showing they are prepared to purchase and distribute child safety seats within 120 days of their receipt of the funds. They must also meet other requirements. Organizations are strongly encouraged to form partnerships and work collaboratively for the purpose of applying for funds. If organizations plan to work collaboratively, they should submit a single combined certification.

This notice requests that organizations submit certifications and it describes the criteria they must meet and the information they must submit with their certifications to be eligible to receive these funds. Similar notices were published in the Federal Register on March 31 and June 29, 1995. As a result of the March 31 notice, six organizations were determined by NHTSA to be qualified and were selected by GM to receive a total of $2 million for the purchase and distribution of child safety seats. As a result of the June 29 notice, six organizations were determined by NHTSA to be qualified and three were selected by GM to receive a total of $2 million for the purchase and distribution of child safety seats.

As a result of today's notice, one or more organizations will be determined by NHTSA to be qualified and will be selected by GM to receive additional donations for the purchase and distribution of child safety seats under the settlement agreement. It is expected that these organizations will receive a total of $2 million.

DATES: Certifications must be received no later than June 27, 1996.

ADDRESSES: Certifications should be submitted to: Office of Occupant Protection, NTS–11, Room 5118, 400 Seventh Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Ms. Cheryl Neverman, National Organizations Division, NTS–11, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone (202) 366–2683.

SUPPLEMENTARY INFORMATION:

DOT/GM Settlement Agreement

On December 2, 1994, Secretary of Transportation Federico Peña announced that DOT and GM had agreed in principle to a resolution of the investigation by the National Highway Traffic Safety Administration (NHTSA) into an alleged defect related to motor vehicle safety in certain 1970–1991 GM

C/K pickup trucks. The terms of the resolution were finalized in a separate agreement that was executed between GM and DOT on March 7, 1995.

Under the terms of the agreement, GM agreed to provide funds over a period of five years to support highway safety research and programs that will prevent motor vehicle deaths and injuries.

In the area of child safety, GM agreed to donate $8,000,000 to qualified organizations for the purchase and distribution of child safety seats. The agreement provided that, of this amount, $4,000,000 will be donated during the first year after the date of the agreement (approximately $1,000,000 each quarter) and $4,000,000 will be donated over the next four years (at approximately the rate at which DOT expends funds for the development and support of child safety seat loaner and give-away programs during that period). The seats will be directed to underserved low income and special needs populations.

The agreement between GM and DOT provides:

> DOT shall identify, on an ongoing basis so as to facilitate timely GM donations, qualified organizations which DOT in its sole discretion deems appropriate to receive donations from GM for the purchase and distribution of child safety seats. GM, in its sole discretion, shall select from the list of qualified organizations provided by DOT, the organization(s) to which it will donate funds, and shall decide the exact amount of funds that each such organization will receive.

The agreement provides further that any organization that is interested in being identified as a ''qualified organization'' must certify to DOT in writing that it will meet a number of criteria set forth in the agreement.

NHTSA estimates that these funds will allow for the purchase and distribution of between 125,000 and 200,000 child safety seats for needy families which, in turn, will save at least 50 lives and prevent approximately 6,000 injuries.

Child Safety

There are approximately 25 million young children under the age of eight years old who need the protection of child safety seats. One-fourth of these children come from families that are below the poverty level.

As many as 3 million children in low-income families do not have access to adequate child safety seats. An additional 3 million children or more have access to child safety seats but, for a variety of reasons, are not being secured in these seats properly. Additionally, children with special transportation needs, such as children with disabilities, often require uniquely designed child safety seats that are too expensive for most families of low or average income to afford.

For these and other reasons, millions of children ride each day either unprotected or inadequately protected by child safety seats. A disproportionate number of these children are from low income or rural families or from culturally diverse populations.

To increase child safety seat usage, child safety seats must be made more readily available, particularly to underserved low income and special needs families. These families must also be motivated to use child safety seats and educated about their proper usage.

An effective child safety seat program can reach, and have a major positive impact on, large numbers of children as well as their families. To be most effective, however, the program must ensure that seats are distributed primarily to the populations most at risk, including underserved low income and special needs families. If programs do not target these populations, the seats could be provided instead to families that could otherwise afford to purchase them, with little net benefit.

Previous Notices

On March 31 and June 29, 1995, NHTSA published notices in the Federal Register describing the agreement between GM and DOT and requesting that organizations interested in receiving funds certify in writing that they are qualified. NHTSA received over 20 certifications in response to the March 31 notice and 8 certifications in response to the June 29 notice.

Copies of the March 31 and June 29 notices and the certifications received in response have been placed in NHTSA's Technical Reference Division (TRD), Docket Section, under Docket Number 95–20; Notices 1 and 2. Individuals that wish to order a copy of these materials may do so by calling or writing to the TRD at Room 5108, 400 Seventh St., SW, Washington, DC 20590 (telephone number 202–366–2768) and referencing this docket number(s). A fee may be charged, based on the volume of material that is requested.

The certifications that NHTSA received in response to the notices were reviewed by evaluation panels of experienced NHTSA personnel, who determined whether the certifications met each of the required criteria and evaluated the certifications based on the evaluation factors specified in the notice.

The panel that reviewed the certifications responsive to the March 31 notice determined that six organizations were qualified to receive donations from GM: National SAFE KIDS Campaign, National Safety Council (NSC), International Association of Chiefs of Police (IACP), National Easter Seal Society, Safe America Foundation/Operation Baby Buckle, and the State and Territorial Injury Prevention Directors Association (STIPDA).

GM decided that each of these organizations would receive donations for the purchase and distribution of child safety seats under the settlement agreement. GM donated $1.5 million to SAFE KIDS to coordinate a major child safety seat program with three other qualified organizations (NSC, IACP and STIPDA), and specified that half of the child safety seats purchased by SAFE KIDS will be divided equally among NSC, IACP and STIPDA, to be distributed through their channels. GM also donated $400,000 to the National Easter Seal Society for its unique program that reaches ''special needs'' infants and children and $100,000 to Operation Baby Buckle for the distribution of seats and its active public education and car safety seat awareness programs.

The panel that reviewed the certifications responsive to the June 29 notice determined that six organizations were qualified to receive donations from GM.

GM decided that three of these organizations would receive donations for the purchase and distribution of child safety seats under the settlement agreement. GM donated $800,000 to National SAFE KIDS Campaign, which formed a coalition with National Head Start Association and the National Association of Community Health Centers, to reach a group even more diverse than during the first phase of the program. GM donated $800,000 to SAFE TEAM, USA, which forged an alliance that includes the Safe America Foundation, the National Safety Council, the Native American Injury Prevention Network, the National Association of Community Action Agencies, the National Coalition of Hispanic Health and Human Services Organizations and the International Association of Chiefs of Police. GM stated that it expected this alliance to reach deep into many communities. The alliance also proposed a unique fund-raising activity to provide even more child safety seats than could ordinarily be purchased with these funds. GM also donated $400,000 to the National Easter Seal Society, which added the National Shriners Hospitals to its distribution plan for a greater distribution program during the second phase. GM stated that this organization has demonstrated its capability to deliver child safety seats in a timely manner to ''special needs'' infants and children.

Today's Notice

Today's notice describes the criteria that an organization must meet, and the information it must submit with its certification, to be identified by DOT as a ''qualified organization.'' Certifications must be received no later than 90 days after the date of publication of today's notice in the Federal Register.

NHTSA will convene a panel of experienced agency personnel to evaluate the certifications submitted. The members of the panel will determine whether the certifications meet each of the required criteria and will evaluate the certifications based on the evaluation factors specified in this notice. When the panel completes its review of the certifications, it will prepare a list of organizations it has determined to be qualified to receive donations for the purchase and distribution of child safety seats. NHTSA will provide the list to GM and place the list in the public docket.

This list of organizations will be used by GM during the second year of the agreement. As explained earlier, the settlement agreement provided that GM would donate $4,000,000 during the first year after the date of the agreement and $4,000,000 over the next four years (at approximately the rate at which DOT expends funds for the development and support of child safety seat loaner and give-away programs during that period). Based on NHTSA's projected expenditures for FY 1996, it is expected that GM will donate approximately $2 million for the purchase and distribution of child safety seats during the second year of the agreement.

Next (and Final) Notice

Within approximately one year from the date of publication of today's notice, NHTSA plans to publish a fourth (and final) notice in the Federal Register requesting certifications from organizations that wish to receive donations after the second year. Any organization that wishes to be included on the fourth (and final) list, whether or not the organization was included on a previous list, will be required to submit a certification. NHTSA reserves the right to request in the fourth notice the submission of additional information, not identified in today's Federal Register notice, from organizations seeking to be included on that list.

Based on its review of the certifications received in response to the fourth Federal Register notice, NHTSA will prepare a revised list of organizations that have been determined to be qualified and appropriate to receive remaining donations from GM. It is expected that the fourth list will be used for the final $2 million of the total $8 million GM agreed to donate for the purchase and distribution of child safety seats under the settlement agreement.

Certification Criteria Established in Settlement Agreement

As explained earlier in this notice, the settlement agreement between GM and DOT provided that DOT would identify, on an ongoing basis, qualified organizations to be considered to receive GM donations, and GM would select recipients of donations from DOT's list of qualified organizations. In order to be considered for inclusion on the list as a ''qualified organization,'' the agreement provided that an organization must certify in writing that it shall meet eleven separate criteria. Listed below are descriptions of these criteria and the information that organizations must submit in their certifications to demonstrate compliance with them. (Following this section of the notice, in a section entitled ''Certification Procedure,'' this notice describes the procedure organizations must follow to be considered for inclusion on the list as a ''qualified organization'' and includes a summary of the documents and additional information organizations must submit.)

(1) Work Through Affiliates

The organization must certify in writing that it shall:

work, through its state or local affiliates, with agencies such as children's hospitals and health agencies to identify families who could not otherwise afford seats or who have special needs

Organizations must be national in scope and have established and effective affiliate relationships at the state or local level capable of carrying out the effort. Organizations can satisfy this criterion by showing that they will work through their own state or local affiliates (e.g., units or chapters specifically organized to carry out the organization's mission) or with other affiliates (e.g., state or locally-based child safety-related agencies or organizations, such as children's hospitals or fire and rescue agencies), and by showing that they have commitments from these state or local affiliates.

Organizations that wish to participate in this program, and are state or locally-based rather than national in scope, are encouraged to affiliate with a national organization that plans to submit a certification or to encourage a national organization with which they are already affiliated to submit a certification.

Through these affiliates, organizations must have a network that will enable them to identify families of target populations who have not been reached through traditional channels, including families who could not otherwise afford seats or who have special needs, and to distribute seats and provide education to these families.

Organizations must submit information regarding their structure and a designation of geographic locations of state and local affiliates that are expected to be involved in the effort. Organizations must also submit information regarding the organizations and agencies with which they will be affiliated for purposes of this program. In addition, organizations must describe their relationships with affiliates, including the role that affiliates will play, and they must demonstrate that they have commitments from affiliates (such as by submitting letters of commitment).

(2) Existing Program or Trained Staff

The organization must certify in writing that it shall:

have an existing loaner or give-away child safety seat program or have staff trained in child passenger safety issues

Organizations must have experience, either directly or through their affiliates, with a loaner or give-away program or staff trained in child passenger safety issues. Alternatively, organizations may collaborate with organizations that have such experience or trained staff, either directly or through their affiliates. National organizations that have the ability to reach underserved populations, but do not have experience with a child safety seat program or trained staff, for example, are strongly encouraged to collaborate with one or more national organizations that do. The experience or training is necessary to ensure that organizations, and their affiliates, are able to operate child safety seat programs, and to meet the deadlines and requirements established in the agreement for distributing seats and providing education to the recipients of the seats.

Organizations must describe their existing loaner or give-away child safety seat programs and their experience in providing education on the use of child safety seats. They must also describe existing loaner or give-away programs and experience in providing education of agencies or organizations that are affiliated with them or with which they have collaborative relationships.

Organizations must identify the number of current trained staff (of the organization, its affiliates and its collaborators) and provide a description of training conducted or taken by the staff and the dates of last training. If organizations have staff who have not been trained, but who are capable of being trained in child passenger safety issues, the organizations should describe their plans for training the staff.

If organizations plan to work collaboratively, they should submit a single combined certification. The certification must include letters of commitment from all collaborators.

Organizations are advised that NHTSA has trained hundreds of individuals throughout the country in child passenger safety issues. If organizations are interested in receiving assistance from individuals who have received NHTSA training, they should contact one of NHTSA's ten regional offices, or the Governor's Highway Safety Representative in their State. Organizations must keep in mind, however, that they must be prepared to purchase and distribute child safety seats within 120 days of their receipt of the funds. Accordingly, their staff must be trained within the 120-day period.

(3) Low-income or Special Needs Across Broad Geographic Area

The organization must certify in writing that it shall:

distribute the seats to low-income families and/or families with special needs across a broad geographical area throughout the United States

The intent of this provision is to assure that underserved children from culturally diverse populations throughout the United States receive the benefits of the program. Qualified organizations need not distribute seats in every state. However, as stated previously, they must have a program that is national in scope and reaches their target populations throughout the United States.

Organizations must submit their mission statements, a description of the method they will use to identify underserved low income or special needs families, and a list of the geographic locations that would be targeted for receipt of the seats. They must demonstrate the ability to identify underserved low income and special needs families, and the ability to distribute seats to these families at the community level throughout the United States.

(4) Mix of Child Safety Seats

The organization must certify in writing that it shall:

comply with NHTSA guidelines with respect to the approximate mix of child safety seats (e.g., infant, toddler, booster, special needs)

Children of differing ages and transportation needs require different types of child safety seats. The intent of this provision is to assure that the children who are recipients under this program receive seats that meet their needs. The provision is also intended to assure that organizations purchase the correct mix of seats for their target population.

Organizations will need to identify the ages and transportation needs of the intended recipients and the types of seats needed to properly fit the target group. For example, an organization targeting special needs children may need very specialized seats, while a program targeting older children may need convertible toddler and booster child restraint devices.

Organizations must specify the maximum number of seats they are capable of distributing to local agencies (their affiliates) within 120 days of their receipt of the funds and the amount of funding they are requesting from GM to purchase and distribute this number of seats. Organizations must specify the proposed mix and types of seats needed to serve the age and needs of the populations to be targeted (i.e., 25% booster seats, 50% toddler seats, 20% infant seats and 5% special needs seats), and must describe the method used to derive the mix. They should indicate whether the mix would change if they receive less funding than the full amount requested.

Organizations should also indicate whether they plan to operate a loaner or a give-away program and what fees, if any, they intend to charge. Both types of programs are acceptable. Any fees charged to recipients must be nominal, and any income from these fees must be used for the purchase and distribution of additional child safety seats under the agreement.

(5) Within 120 Days

The organization must certify in writing that it shall:

distribute all of the seats purchased with the funds provided by GM to the local agencies within 120 days of the receipt of the funds

Organizations are required, under the agreement, to purchase and distribute all of the seats to local agencies (their affiliates) within 120 days of receipt of the funds. To satisfy this criterion, organizations must clearly demonstrate the ability to meet this requirement.

As stated previously, organizations must submit a plan describing how they will accomplish the purchase and distribution of seats to local agencies (their affiliates) within the 120-day period. The plan must describe how the organization will reach a broad geographical area, how it will identify the low income and special needs families to be served by this program, and it must include a proposed schedule for the purchase and distribution of seats. The plan must clearly demonstrate that the organization is able and prepared to purchase and distribute child safety seats to local agencies (their affiliates) within 120 days of their receipt of the funds and that, if their staff is not already experienced or trained, that they will be trained within the 120-day period.

Organizations that were selected by GM to receive donations for the purchase and distribution of child safety seats under the settlement agreement as a result of the Federal Register notices published on March 31 or June 29, 1995, must also describe the progress they have made, including the schedule they have followed, the number of seats they have distributed to local agencies (their affiliates) and the number of seats that have been provided to recipients, by geographic location.

Organizations must also demonstrate that the distribution and education efforts funded under this program will either create new initiatives or complement (rather than duplicate) existing initiatives, in the geographic areas to be served. In other words, these distribution and education efforts should take place in communities that have either been underserved or not been reached. In addition, organizations must ensure that their efforts do not conflict with activities already planned or underway. This may be demonstrated by including in the plan, a description of new or complementary initiatives that are planned and either letters of support from the organizations that are (or would be) responsible for child safety seat programs in the geographic areas to be served (such as state highway safety offices and state public health agencies) or a description of the organization's plans to coordinate with these responsible organizations.

(6) Educate Recipients

The organization must certify in writing that it shall:

educate recipients of the seats as to methods of proper installation and use

While the distribution of child safety seats is vitally important, and can save many children's lives, the effectiveness of those seats in preventing injury and death increases significantly when recipients are trained in and follow proper use and installation instructions. Organizations are required, under the agreement, to provide education to the recipients of the seats regarding the proper installation and use of child safety seats. Education is most effective if it is provided at the time that the seats are being distributed to recipients, and if it includes a number of components, such as conducting a hands-on demonstration, showing a video and having recipients demonstrate that they understand how to properly install and use their child safety seats.

Organizations must describe the specific means they, their affiliates or their collaborators will use to educate families about the proper installation and use of child safety seats.

To assist in this effort, NHTSA will make resources, including materials and technical assistance, available to the selected organizations.

(7) Administrative Expenses

The organization must certify in writing that it shall:

not use more than 10 percent of the funds provided by GM for administrative expenses related to distribution of the seats

Organizations shall use no more than 10 percent of the funds provided by GM for administrative expenses related to the distribution of the seats. Examples of administrative expenses include operational overhead such as secretarial support, telephone expenses, and time of paid staff to help develop the plans for these efforts.

As stated previously, organizations are strongly encouraged to work collaboratively for the purpose of applying for funds. If organizations plan to work collaboratively, they should submit a single combined certification. Any such certification submitted for a group of organizations working collaboratively, must include a statement that provides that the organizations have reached agreement regarding the manner in which funds that may be used for administrative expenses will be allocated among the organizations. The actual agreement need not be provided. No additional information is required to be submitted at this time in support of this element of the certification.

(8) Added to Existing Funds and No Diversions

The organization must certify in writing that it shall:

add the GM-provided funds to the total of its existing funds spent on the distribution of child safety seats to low-income families and not divert any funds currently budgeted to such activities to other activities

Organizations shall add the GM-provided funds to the total of their existing funds, if any, spent on the distribution of child safety seats to low income and special needs families and not divert any funds currently budgeted to such activities, if any, to other activities. In other words, the funds provided by GM must represent new and additional resources, and may not be used to replace other funds, if any, that otherwise would have been used for the distribution of child safety seats to low-income families and their related education activities. No additional information is required to be submitted at this time in support of this element of the certification.

(9) Third-party Audit

The organization must certify in writing that it shall:

allow the activities conducted pursuant to this program to be audited by such third party as selected by DOT

Organizations shall allow the activities conducted pursuant to this program to be audited by such third party as may be selected by DOT. Organizations shall also maintain adequate records to allow an audit to be conducted. No additional information is required to be submitted at this time in support of this element of the certification.

(10) Enforceable Commitments and Promises

The organization must certify in writing that it shall:

acknowledge and agree that such commitments and promises shall be enforceable

Organizations shall acknowledge and agree that the commitments and promises they make shall be enforceable through legal process or other appropriate means. No additional information is required to be submitted at this time in support of this element of the certification.

(11) No Assumption of Responsibility

The organization must certify in writing that it shall:

acknowledge and agree that GM does not assume or bear any responsibility for the organization's commitments, the selection of the safety seats actually purchased or distributed, or the education of recipients of the seats as to proper use

Organizations shall acknowledge and agree that GM does not assume or bear any responsibility for the organization's commitments, the selection of the safety seats actually purchased or distributed, or the education of recipients of the seats as to proper use. No additional information is required to be submitted at this time in support of this element of the certification.

Certification Procedures

To be considered, certifications must be received no later than 90 days after the date on which today's notice is published in the Federal Register. Certifications should be submitted to Office of Occupant Protection, NTS–11, Room 5118, 400 Seventh Street, S.W., Washington, D.C. 20590.

Organizations are strongly encouraged to work collaboratively for the purpose of applying for funds. If organizations plan to work collaboratively, they should submit a single combined certification.

Certifications must address each of the criteria described in detail above, in the section of this notice entitled ''Certification Criteria Established in Settlement Agreement,'' and must include each of the following:

(1) Certification Statement

A written statement, signed by an authorized official of the organization, certifying that the organization shall:

(i) work, through its state or local affiliates, with agencies such as children's hospitals and health agencies to identify families who could not otherwise afford seats or who have special needs; (ii) have an existing loaner or give-away child safety seat program or have staff trained in child passenger safety issues; (iii) distribute the seats to low-income families and/or families with special needs across a broad geographical area throughout the United States; (iv) comply with NHTSA guidelines with respect to the approximate mix of child safety seats (e.g., infant, toddler, booster, special needs); (v) distribute all of the seats purchased with the funds provided by GM to the local agencies within 120 days of the receipt of the funds; (vi) educate recipients of the seats as to methods of proper installation and use; (vii) not use more than 10 percent of the funds provided by GM for administrative expenses related to distribution of the seats; (viii) add the GM-provided funds to the total of its existing funds spent on the distribution of child safety seats to low-income families and not divert any funds currently budgeted to such activities to other activities; (ix) allow the activities conducted pursuant to this program to be audited by such third party as selected by DOT; (x) acknowledge and agree that such commitments and promises shall be enforceable; and (xi) acknowledge and agree that GM does not assume or bear any responsibility for the organization's commitments, the selection of the safety seats actually purchased or distributed, or the education of recipients of the seats as to proper use.

(2) Plan

A plan describing how the organization will accomplish the purchase and distribution of seats to local agencies (their affiliates) within 120 days of receipt of the funds, how the organization will reach a broad geographical area, and how it will identify the low income and special needs families to be served by this program. It must include a proposed schedule for the purchase and distribution of seats, a description of new or complementary initiatives that are planned and either letters of support from the organizations that are (or would be) responsible for child safety seat programs in the geographic areas to be served (such as state highway safety offices and state public health agencies) or a description of the organization's plans to coordinate with these responsible organizations.

The plan must clearly demonstrate that the organization is able and prepared to purchase and distribute child safety seats to local agencies (their affiliates) within 120 days of their receipt of the funds and that, if their staff is not already experienced or trained, that they will be trained within the 120-day period.

Organizations that were selected by GM to receive donations for the purchase and distribution of child safety seats under the settlement agreement as a result of the Federal Register notices published on March 31 or June 29, 1995, must also describe the progress they have made since they received their donations, including the schedule they have followed, the number of seats they have distributed to local agencies (their affiliates) and the number of seats that have been provided to recipients, by geographic location.

(3) Additional Information

The following additional information to ensure that the organization is capable of meeting the objectives of the agreement:

- Information regarding the organization's structure and a designation of geographic locations of state and local affiliates to be involved in the effort;
- Information regarding the organizations and agencies with which the organization will be affiliated for purposes of this program;
- A description of their relationships with affiliates, including the role that affiliates will play, and either letters or some other demonstration of commitment from their affiliates;
- A description of the organization's, its affiliates' or its collaborators': existing loaner or give-away programs; experience in providing education on the use of child safety seats; the number of trained staff; a description of training conducted or taken; and the dates of last training;
- If organizations have staff who have not been trained, but who are capable of being trained in child passenger safety issues, a description of their plans for training the staff and an indication that the training will be completed within 120 days of receipt of the funds;
- If organizations plan to work collaboratively, letters of commitment from all collaborators and a statement that provides that the organizations have reached agreement regarding the manner in which funds that may be used for administrative expenses will be allocated among the organizations (the actual agreement need not be provided);
- A mission statement of the organization;
- The method to be used to identify underserved low income or special needs families;
- A list of the geographic locations that would be targeted for receipt of the seats;
- The maximum number of seats the organization is capable of distributing to local agencies (their affiliates) within 120 days of its receipt of the funds; the amount of funding the organization is requesting from GM to purchase and distribute this number of seats; the proposed mix and types of seats needed to serve the age and needs of the populations to be targeted (i.e., 25% booster seats, 50% toddler seats, 20% infant seats and 5% special needs seats); the method used to derive the mix; and, if applicable, any change in mix if the organization receives less funding than the full amount requested;
- An indication of whether the organization plans to operate a loaner or a give-away program; an identification of the fees, if any, they intend to charge; and a statement that any income from these fees will be used for the purchase and distribution of additional child safety seats under the agreement; and
- A description of the specific means to be used by the organization, its affiliates or its collaborators to educate families about the proper installation and use of child safety seats.

Organizations must submit one original and two copies of their certifications. Certifications shall be subject to 18 U.S.C. § 1001, which prohibits the making of false statements. Organizations are requested to submit four additional copies to facilitate the review process, but there is no requirement or obligation to do so.

Organizations that would like to be notified upon receipt of their certifications should enclose a self-addressed stamped postcard in the envelope with their certifications. Upon receiving the certifications, the postcard will be returned by mail.

Evaluation Factors

Certifications will be reviewed by an evaluation panel of experienced agency personnel. The panel will determine whether the certifications meet each of the required criteria and will evaluate the certifications based on the following factors:

1. Understanding of the requirements of the agreement and soundness of approach as shown by the organization's plan and certification.

2. The ability to purchase and distribute child safety seats to local agencies (their affiliates) within 120 days of their receipt of the funds as shown by the organization's plan and certification.

3. The ability to identify underserved low income and special needs families.

4. The ability to distribute child safety seats to these target populations at the community level throughout the United States.

- The experience of the organization, its affiliates or its collaborators, in distributing child safety seats
- The breadth and diversity of the underserved population the organization, its affiliates or its collaborators can effectively reach

5. The ability to provide education to recipients.

- The experience of the organization, its affiliates or its collaborators, in providing education on the use of child safety seats
- The level of training of the staff of the organization, its affiliates or its collaborators

6. The ability to conduct a distribution and education program that either creates new initiatives, or complements (rather than duplicates) existing initiatives, in the geographic areas to be served.

Issued on: March 25, 1996.

James Hedlund,

Associate Administrator for Traffic Safety Programs.

[FR Doc. 96–7641 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–59–P

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of Applications for Modification of Exemptions or Applications To Become a Party to an Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of Applications for modification of exemptions or application to become a party to an exemption; Correction.

SUMMARY: Notice of Application No. 11588–P Med Compliance Service, Inc. of Texas that appeared at page 11678 of the Federal Register for March 21, 1996, should have appeared 11588–P Med Compliance Services, Inc. of New Mexico.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials, Exemptions and Approvals.

[FR Doc. 96–7644 Filed 3–28–96; 8:45 am]

BILLING CODE 4910–60–M

Surface Transportation Board [1]

[Ex Parte No. 462]

Exemption of Demurrage From Regulation

AGENCY: Surface Transportation Board.

ACTION: Withdrawal of antitrust immunity.

SUMMARY: Pursuant to a notice of proposed rulemaking, served April 21, 1992, the Board is withdrawing antitrust immunity for the collective consideration of demurrage charges. The Board concludes that this action constitutes the best means to achieve the goals of the ICC Termination Act of 1995 and the Staggers Rail Act of 1980 (Pub. L. No. 96–448, 94 Stat. 1895) as they concern demurrage, while safeguarding the interests of shippers and receivers subject to market dominant carriers. Two alternative proposals suggested by the ICC are not being adopted.

DATES: This decision is effective on April 28, 1996.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927–5660. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289–4357. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Authority: 49 U.S.C. 10706.

Decided: March 20, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7709 Filed 3–28–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[Finance Docket No. 32813]

H. Peter Claussen and Linda C. Claussen—Continuance in Control Exemption—Live Oak, Perry & Georgia Railroad Company, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10505, the Board exempts from the prior approval requirements of 49 U.S.C. 11343, *et seq.*, the continuance in control by H. Peter Claussen and Linda C. Claussen of the Live Oak, Perry & Georgia Railroad Company, Inc., subject to standard labor protective conditions.

DATES: This exemption will be effective on April 28, 1996. Petitions to stay must be filed April 8, 1996. Petitions to reopen must be filed by April 18, 1996.

ADDRESSES: Send pleadings, referring to Finance Docket No. 32813 to: (1) Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Mark H. Sidman, 1350 New York Avenue, N.W., Suite 800, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927–5660. [TDD for the hearing impaired: (202) 927–5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927–5721].

Decided: March 13, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7708 Filed 3–28–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[Docket No. AB–33 (Sub-No. 90X)]

Union Pacific Railroad Company—Abandonment Exemption—in Sutter County, CA (Yuba City Branch)

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of exemption and Interim Trail Use or Abandonment.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903–04 the abandonment by Union Pacific Railroad Company (UP) of a 5.20-mile portion of its Yuba City Branch extending from

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10702 and 10746. Therefore, this decision generally applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

milepost 0.00 near Colusa Jct. to the end of the line at milepost 5.20 near Sutter, in Sutter County, CA, subject to trail use, public use, environmental, and standard labor protective conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on April 28, 1996. Formal expressions of intent to file an offer of financial assistance [2] under 49 CFR 1152.27(c)(2) must be filed by April 8, 1996; petitions to stay must be filed by April 15, 1996; and petitions to reopen must be filed by April 23, 1996.

ADDRESSES: An original and 10 copies of all pleadings, referring to Docket No. AB–33 (Sub-No. 90X), must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of all pleadings must be served on Joseph D. Anthofer, 1416 Dodge Street, Room 830, Omaha, NE 68179–0830.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927–5660. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: March 13, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–7710 Filed 3–28–96; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

March 18, 1996

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Special Request: In order to conduct the survey described below in April 1996, the Department of Treasury is requesting Office of Management and Budget (OMB) review and approve this information collection by March 22, 1996. To obtain a copy of this survey, please contact the IRS Clearance Officer at the address listed below.

Internal Revenue Service (IRS)

OMB Number: 1545–1432.

Project Number: PC:V 96–004–G.

Type of Review: Revision.

Title: Customer Satisfaction Survey for Librarians.

Description: The Bank, Post Office, and Library (BPOL) Program is one area that must continue to provide quality service to taxpayers while cutting operating costs. This program uses banks, post offices and libraries as distribution sites for tax forms and related materials. Since BPOL locations provide materials for so many people, thoughtful consideration should be used to identify which areas of the program will be impacted by these budget cuts. Any decisions made should take into account our customers' (the taxpayers') needs and opinions as to which areas of the program are most important and provide the best service. IRS feels that this information can be obtained by surveying librarians.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 2,000.

Estimated Burden Hours Per Respondent: 6 minutes.

Frequency of Response: Other.

Estimated Total Reporting Burden: 200 hours.

Clearance Officer: Garrick Shear (202) 622–3869, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, N.W., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 96–7649 Filed 3–28–96; 8:45 am]

BILLING CODE 4830–01–P

Submission to OMB for Review; Comment Request

March 22, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Internal Revenue Service (IRS)

OMB Number: New.

Form Number: IRS Form W–7.

Type of Review: New collection.

Title: Application for IRS Individual Taxpayer Identification Number.

Description: Proposed regulations under Internal Revenue Code (IRC) section 6109 introduce a new type of taxpayer identifying number called the ''IRS individual taxpayer identification number'' (ITIN). Individuals who currently do not have, and are not eligible to obtain, social security numbers can apply for this number on Form W–7. Taxpayers may use this number when required to furnish a taxpayer identifying number under regulations. An ITIN is intended for tax use only.

Respondents: Individuals or households.

Estimated Number of Respondents: 500,000.

Estimated Burden Hours Per Respondent:

Learning about the law or the form—11 minutes.

Preparing the form—28 minutes.

Copying, assembling, sending the form to the IRS—20 minutes.

Frequency of Response: Other (individuals file once to get an ITIN).

Estimated Total Reporting Burden: 495,000 hours.

Clearance Officer: Garrick Shear (202) 622–3869, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–7340, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 96–7650 Filed 3–28–96; 8:45 am]

BILLING CODE 4830–01–P

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[2] *See Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

Bureau of Alcohol, Tobacco and Firearms

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Requisition For Forms or Publications and Requisition For Firearms/ Explosives Forms.

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Linda Barnes, Document Services Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

SUPPLEMENTARY INFORMATION:

Title: Requisition For Forms or Publications and Requisition For Firearms/Explosives Forms.

OMB Number: 1512–0001.

Form Number: ATF F 1600.1 and ATF F 1600.8.

Abstract: These forms are used by the general public to request or order forms or publications from the ATF Distribution Center. These forms notify ATF of the quantity required by the respondent and provide a guide as to annual usage of ATF forms or publications by the general public.

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

Type of Review: Extension.

Affected Public: Business or other for-profit, individuals or households.

Estimated Number of Respondents: 30,000.

Estimated Time Per Respondent: 3 minutes.

Estimated Total Annual Burden Hours: 1725.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Also, ATF requests information regarding any monetary expenses you may incur while completing these forms.

Dated: March 22, 1996.

Bradley A. Buckles,

Acting Director.

[FR Doc. 96–7693 Filed 3–28–96; 8:45 am]

BILLING CODE 4810–31–P

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Transportation In Bond, and Notice of Puerto Rican Cigars, Cigarettes, Cigarette Papers, or Cigarette Tubes.

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Cliff Mullen, Wine, Beer & Spirits Regulations Branch, 650 Massachusetts Avenue, NW., (202) 927–8181.

SUPPLEMENTARY INFORMATION:

Title: Transportation In Bond, and Notice of Release of Puerto Rican Cigars, Cigarettes, Cigarette Papers, or Cigarette Tubes.

OMB Number: 1512–0167.

Form Number: ATF F 3072 (5210.14).

Abstract: ATF F 3072 (5210.14) is used to document the shipment of taxable tobacco products brought into the United States in bond from Puerto Rico. The form documents certification by ATF to account for the tax liability as well as any adjustments assessed to the bonded licensee. The form also describes the shipment and identification of the licensee who receives the products.

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

Type of Review: Extension.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 50.

Estimated Time Per Respondent: 12 minutes.

Estimated Total Annual Burden Hours: 200.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Also, ATF requests information regarding any monetary expenses you may incur while completing this form.

Dated: March 22, 1996.

Bradley A. Buckles,

Acting Director.

[FR Doc. 96–7694 Filed 3–28–96; 8:45 am]

BILLING CODE 4810–31–P

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Application and Permit to Ship Liquors and Articles of Puerto Rican Manufacture Taxpaid to the United States.

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to J. Barry Fields, Wine, Beer & Spirits Regulations Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8522.

SUPPLEMENTARY INFORMATION:

Title: Application and Permit to Ship Liquors and Articles of Puerto Rican Manufacture Taxpaid to the United States.

OMB Number: 1512–0057.

Form Number: ATF F 487–B (5170.7).

Abstract: ATF F 487–B (5170.7) is used to document the shipment of taxpaid Puerto Rican articles into the U.S. The form is vertified by Puerto Rican and U.S. Treasury officials to certify that products are either taxpaid or deferred under the appropriate bond and serves as a method of protection of the revenue.

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

Type of Review: Extension.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 20.

Estimated Time Per Respondent: 30 minutes.

Estimated Total Annual Burden Hours: 100.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of infomation on respondents, including through the use of automated collection techniques or other forms of information technology. Also, ATF requests information regarding any monetary expenses you may incur while completing this form.

Dated: March 22, 1996.

Bradley A. Buckles,

Acting Director.

[FR Doc. 96–7695 Filed 3–28–96; 8:45 am]

BILLING CODE 4810–31–P

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Special Tax Registration and Return (Alcohol & Tobacco) and the Special Tax Registration and Return (National Firearms Act).

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Wanda Williams Burggraff, Tax Compliance Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8220.

SUPPLEMENTARY INFORMATION:

Title: Special Tax Registration and Return (Alcohol & Tobacco) and Special Tax Registration and Return (National Firearms Act).

OMB Number: 1512–0472.

Form Number: ATF F 5630.5 and ATF F 5630.7.

Abstract: ATF F 5630.5 and ATF F 5630.7 are completed by persons engaged in certain alcohol, tobacco and firearms related businesses, respectively. Both forms are used to register and/or pay a special occupational tax, as required by statute. Upon receipt of the tax, a special tax stamp is issued..

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

Type of Review: Extension.

Affected Public: Business or other for-profit, individuals or households, and not-for-profit institutions.

Estimated Number of Respondents: 90,700.

Estimated Time Per Respondent: 48 minutes.

Estimated Total Annual Burden Hours: 72,778.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the infomation shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Also, ATF requests information regarding any monetary expenses you may incur while completing these forms.

Dated: March 22, 1996.

Bradley A. Buckles,

Acting Director.

[FR Doc. 96–7696 Filed 3–28–96; 8:45 am]

BILLING CODE 4810–31–P

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Letterhead Request For Information In Regard To Federal Firearms Dealer's Records (Dealer's Records of Aquisition, Disposition and Supporting Data).

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Dottie Morales, Firearms & Explosives Operations Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8310.

SUPPLEMENTARY INFORMATION:

Title: Letterhead Request For Information In Regard To Federal Firearms Dealer's Records (Dealer's Records of Aquisition, Disposition and Supporting Data).

OMB Number: 1512–0493.

Form Number: ATF F 5300.3.

Abstract: ATF F 5300.3 gives the user a simplified format to list the required information ATF needs to perform its functions in regard to the law. The respondent saves time because the questions are simple and a return address is supplied. The form is used to maintain a current status of firearms licensees.

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

Type of Review: Extension.

Affected Public: Business or other for-profit, Individuals or households.

Estimated Number of Respondents: 28,000.

Estimated Time Per Respondent: 5 minutes.

Estimated Total Annual Burden Hours: 2,380.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Also, ATF requests information regarding any monetary expenses you may incur while completing this form.

Dated: March 22, 1996.

Bradley A. Buckles,

Acting Director.

[FR Doc. 96–7697 Filed 3–28–96; 8:45 am]

BILLING CODE 4810–31–P

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Inventory—Export Warehouse Proprietor.

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Mary Lou Blake, Wine, Beer & Spirits Regulations Branch, 650 Massachusetts Avenue, NW., Washington, DC, (202) 927–8210.

SUPPLEMENTARY INFORMATION:

Title: Inventory—Export Warehouse Proprietor.

OMB Number: 1512–0171.

Form Number: ATF F 5220.3.

Abstract: ATF F 5220.3 is used by export warehouse proprietors to record inventories that are required by law and regulations. The form provides a uniform format for recording inventories and establishes a contingent tax liability on tobacco products.

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

Type of Review: Extension.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 10.

Estimated Time Per Respondent: 5 hours.

Estimated Total Annual Burden Hours: 50.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Also, ATF requests information regarding any monetary expenses you may incur while completing this form.

Dated: March 22, 1996.

Bradley A. Buckles,

Acting Director.

[FR Doc. 96–7698 Filed 3–28–96; 8:45 am]

BILLING CODE 4810–31–P

Customs Service

List of Foreign Entities Violating Textile Transshipment and Country of Origin Rules

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: General Notice.

SUMMARY: This document notifies the public of foreign entities which have

been issued a penalty claim under section 592 of the Tariff Act, for certain violations of the customs laws. This list is authorized to be published by section 333 of the Uruguay Round Agreements Act.

FOR FURTHER INFORMATION CONTACT: For information regarding any of the operational aspects, contact Michael Compeau, Branch Chief, Seizures and Penalties Division, at 202–927–0762. For information regarding any of the legal aspects, contact Lars-Erik Hjelm, Office of Chief Counsel, at 202–927–6900.

SUPPLEMENTARY INFORMATION:

Background

Section 333 of the Uruguay Round Agreements Act (URAA)(Public Law 103–465, 108 Stat. 4809)(signed December 12, 1994), entitled Textile Transshipments, amended Part V of title IV of the Tariff Act of 1930 by creating a section 592A (19 U.S.C. 1592A), which authorizes the Secretary of the Treasury to publish in the Federal Register, on a biannual basis, a list of the names of any producers, manufacturers, suppliers, sellers, exporters, or other persons located outside the Customs territory of the United States, when these entities have been issued a penalty claim under section 592 of the Tariff Act, for certain violations of the customs laws, provided that certain conditions are satisfied.

The violations of the Customs laws referred to above are the following: (1) Using documentation, or providing documentation subsequently used by the importer of record, which indicates a false or fraudulent country of origin or source of textile or apparel products; (2) Using counterfeit visas, licenses, permits, bills of lading, or similar documentation, or providing counterfeit visas, licenses, permits, bills of lading, or similar documentation that is subsequently used by the importer of record, with respect to the entry into the customs territory of the United States of textile or apparel products; (3) Manufacturing, producing, supplying, or selling textile or apparel products which are falsely or fraudulently labeled as to country of origin or source; and (4) Engaging in practices which aid or abet the transshipment, through a country other than the country of origin, of textile or apparel products in a manner which conceals the true origin of the textile or apparel products or permits the evasion of quotas on, or voluntary restraint agreements with respect to, imports of textile or apparel products.

If a penalty claim has been issued with respect to any of the above violations, and no petition in response to the claim has been filed, the name of the party to whom the penalty claim was issued will appear on the list. If a petition, supplemental petition or second supplemental petition for relief from the penalty claim is submitted under 19 U.S.C. 1618, in accord with the time periods established by §§ 171.32 and 171.33, Customs Regulations (19 CFR 171.32, 171.33) and the petition is subsequently denied or the penalty is mitigated, and no further petition, if allowed, is received within 30 days of the denial or allowance of mitigation, then the administrative action shall be deemed to be final and administrative remedies will be deemed to be exhausted. Consequently, the name of the party to whom the penalty claim was issued will appear on the list. However, provision is made for an appeal to the Secretary of the Treasury by the person named on the list, for the removal of its name from the list. If the Secretary finds that such person or entity has not committed any of the enumerated violations for a period of not less than 3 years after the date on which the person or entity's name was published, the name will be removed from the list as of the next publication of the list.

Reasonable Care Required

Section 592A also requires any importer of record entering, introducing, or attempting to introduce into the commerce of the United States textile or apparel products that were either directly or indirectly produced, manufactured, supplied, sold, exported, or transported by such named person to show, to the satisfaction of the Secretary, that such importer has exercised reasonable care to ensure that the textile or apparel products are accompanied by documentation, packaging, and labeling that are accurate as to its origin. Reliance solely upon information regarding the imported product from a person named on the list is clearly not the exercise of reasonable care. Thus, the textile and apparel importers who have some commercial relationship with one or more of the listed parties must exercise a degree of reasonable care in ensuring that the documentation covering the imported merchandise, as well as its packaging and labeling, is accurate as to the country of origin of the merchandise. This degree of reasonable care must rely on more than information supplied by the named party.

In meeting the reasonable care standard when importing textile or apparel products and when dealing with a party named on the list published pursuant to section 592A of the Tariff Act of 1930, an importer should consider the following questions in attempting to ensure that the documentation, packaging, and labeling is accurate as to the country of origin of the imported merchandise. The list of questions is not exhaustive but is illustrative.

(1) Has the importer had a prior relationship with the named party?

(2) Has the importer had any detentions and/or seizures of textile or apparel products that were directly or indirectly produced, supplied, or transported by the named party?

(3) Has the importer visited the company's premises and ascertained that the company has the capacity to produce the merchandise?

(4) Where a claim of substantial transformation is made, has the importer ascertained that the named party actually substantially transforms the merchandise?

(5) Is the named party operating from the same country as is represented by that party on the documentation, packaging or labeling?

(6) Have quotas for the imported merchandise closed or are they nearing closing from the main producer countries for this commodity?

(7) What is the history of this country regarding this commodity?

(8) Have you asked questions of your supplier regarding the origin of the product?

(9) Where the importation is accompanied by a visa, permit, or license, has the importer verified with the supplier or manufacturer that the visa, permit, and/or license is both valid and accurate as to its origin? Has the importer scrutinized the visa, permit or license as to any irregularities that would call its authenticity into question?

The law authorizes a biannual publication of the names of the foreign entities. On September 28, 1995, Customs published a Notice in the Federal Register (60 FR 50239) which identified 9 entities which fell within the purview of section 592A of the Tariff Act of 1930.

592A List

For the period ending March 31, 1996, Customs has identified 8 (eight) foreign entities that fall within the purview of section 592A of the Tariff Act of 1930. This list reflects the removal of 5 names from the list published in September 1995, and the addition of 4 new entities. The parties on the current list were assessed a penalty claim under 19 U.S.C. 1592, for one or more of the four above-described violations. The administrative penalty action was concluded against the parties by one of the actions noted above as having terminated the administrative process.

The names and addresses of the 8 foreign parties which have been assessed penalties by Customs for violations of section 592 are listed below pursuant to section 592A. This list supersedes any previously published list.

Bestraight Limited, Room 5K, World Tech Centre, 95 How Ming Street, Kwun Tong, Kowloon, Hong Kong.
Cotton Breeze International, 13/1578 Govindpuri, New Delhi, India.
Hangzhou Tongda Textile Group, Room 918, Hangzhou Mansion, No. 1 Wulin Square, Hangzhou, China.
Hanin Garment Factory, 31 Tai Yau Street, Kowloon, Hong Kong.
Hip Hing Thread Company, No. 10, 6/F Building A, 221 Texaco Road, Waikai Industtrial Centre, Tsuen Wan, N.T. Hong Kong.
Poshak International, H–83 South Extension, Part-I (Back Side), New Delhi, India.
United Fashions, C–7 Rajouri Garden, New Delhi, India.
Yunnan Provincial Textiles Import & Export, 576 Beijing Road Kunming, Yun Nan, China.

Any of the above parties may petition to have its name removed from the list. Such petitions, to include any documentation that the petitioner deems pertinent to the petition, should be forwarded to the Assistant Commissioner, Office of Field Operations, United States Customs Service, 1301 Constitution Avenue, Washington, D.C. 20229.

Additional Foreign Entities

In the September, 1995 Federal Register notice, Customs also solicited information regarding the whereabouts of 40 foreign entities, which were identified by name and known address, concerning alleged violations of section 592. Persons with knowledge of the whereabouts of those 40 entities were requested to contact the Assistant Commissioner, Office of Field Operations, United States Customs Service, 1301 Constitution Avenue, Washington, D.C. 20229.

As a result of information received in response to the solicitation, 6 names were removed from the list. In this document, a new list is being published which contains the names and last known address of 37 entities. This reflects the removal of 6 names from the previous list and the addition of 3 new entities to the list.

Customs is soliciting information regarding the whereabouts of the following 37 foreign entities concerning alleged violations of section 592. Their name and last known address are listed below:

Bahadur International, 250 Naraw Industrial Area, New Delhi, India.
Madan Exports, E–106 Krishna Nagar, New Delhi, India.
Gulnar Fashion Export, 14 Hari Nagar, Ashram, New Delhi, India.
Janardhan Exports, E–106 Krishna Nagar, New Delhi, India.
Morrin International, E–106 Krishna Nagar, New Delhi, India.
Jai Arjun Mfg., Co., B 4/40 Paschim Vihar, New Delhi, India.
Eroz Fashions, 535 Tuglakabad Extension, New Delhi, India.
China Artex Corp. Beijing Arts, 132–16 Changan Avenue, Beijing, China.
Shenzhen Long Gang Ji Chuen, Shenzhen, Long Gang Zhen, China.
Traffic, D1/180 Lajpat Nagar, New Delhi, India.
Raj Connections, E–106 Krishna Nagar, Delhi, India.
Bao An Wing Shing Garment Factory, Ado Shi Qu, Bao An Shen Zhen, China.
Guidetex Garment Factory, 12 Qian Jin Dong Jie, Yao Tai Xian Yuan Li, Canton, China.
Dechang Garment Factory, Shantou S.E.Z., Cheng Hai, Cheng Shing, China.
Guangdong Provincial Improved, 60 Ren Min Road, Guangdong, China.
Kin Cheong Garment Factory, No. 13 Shantan Street, Sikou Country, Taishan, Kwangtong, China.
Gold Tube Ltd., No. 55 Hung To Road, Kwun Tong, Kowloon, Hong Kong.
Sam Hing Bags Factory, Ltd., #35 Tai Ping West Road, Jiu Jaing, Ghangdong, China.
Luen Kong Handbag Factory, 33 Nanyuan Road, Shenzhen, Guangdong, China.
Changping High Stage Knitting, Yuan Jing Yuan, Chau Li Qu Chang, Guangdong, China.
Arsian Company Ltd, XII Khorcolo, Waanbaatar, Mongolia.
Kin Fung Knitting Factory, Block A&B, 4th Flr Por Mee Bldg., 500 Casle Peak Rd., Kowloon, Hong Kong.
Cahaya Suria Sdn Bhd, Lot 5, Jalan 3, Kedah, Malaysia.
Crown Garments Factory Sdn Bhd, Lot 112, Jalan Kencana, Bagan Ajam, Malaysia.
Glee Dragon Garment Mfg.. Ltd., 328 Castle Peak Rd., Room G 10Fl, Tsuen Kam Centre, Kowloon, Hong Kong.
Richman Garment Manufacturing Co., Ltd., 7th Fl, Singapore Industrial Bldg., 338 Kwun Tong Road, Kowloon, Hong Kong.
Herrel Company , 64 Rowell Road, Suva, Fiji.
Belwear Co., Ltd., Flat C, 3rd Floor, Yuk Yat Street, Kowloon, Hong Kong.
Hambridge Ltd., 9 Fl., Lladro Building 72–80, Hoi Yuen Road, Kwun Tong, Kowloon, Hong Kong.
Kingston Garment Ltd., Lot 42–44 Caracas Dr., Kingston, Jamaica.
Moderntex International Inc., 3941, Kowloon, Hong Kong.
Poltex Sdn, 8 Jalan Serdang, Kedah, Malaysia.
Sam Hing International Enterprise, 5 Guernsey St., Guilford NSW, Australia.
Societe Prospere De Vetements S.A., Lome, Togo.
Confecciones Kalinda S.A., Zona Franca, Los Alcarrizos, Santo Domingo, Dominican Republic.
Royal Mandarin Knitworks Co., Flat C 21/F, So Tau Centre, 11–15 Sau Road, Kwai Chung, N.T., Hong Kong.
Wong's International, Nairamdliyn 26, Ulaanbaatar 11, Naaun, Mongolia.

If you have any information as to a correct mailing address for any of the above 37 firms, please send that information to the Assistant Commissioner, Office of Field Operations, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

Dated: March 26, 1996.

Samuel H. Banks,

Assistant Commissioner, Office of Field Operations.

[FR Doc. 96–7717 Filed 3–28–96; 8:45 am]

BILLING CODE 4820–02–P

Internal Revenue Service

Proposed Collection; Comment Request for Forms 8804, 8805, and 8813

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 8804, Annual Return for Partnership Withholding Tax (Section 1446), Form 8805, Foreign Partner's Information Statement of Section 1446 Withholding

Tax, and Form 8813, Partnership Withholding Tax Payment (Section 1446).

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Martha R. Brinson, (202) 622–3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Form 8804, Annual Return for Partnership Withholding Tax (Section 1446), Form 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax, and Form 8813, Partnership Withholding Tax Payment (Section 1446).

OMB Number: 1545–1119.

Form Number: Forms 8804, 8805, and 8813.

Abstract: Internal Revenue Code section 1446 requires U.S. partnerships to pay a withholding tax if they have effectively connected taxable income that is allocable to foreign partners. The partnerships use Form 8813 to make payments of withholding tax to the IRS. They use Forms 8804 and 8805 to make annual reports to provide the IRS and affected partners with information to assure proper withholding, crediting to partners' accounts, and compliance.

Current Actions: There are no changes being made to the forms at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations and individuals or households.

Estimated Number of Respondents: 5,000.

Estimated Time per Respondent: 24 hr., 14 min.

Estimated Total Annual Burden Hours: 121,150.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Approved: March 22, 1996.

Garrick R. Shear,

IRS Reports Clearance Officer.

[FR Doc. 96–7767 Filed 3–28–96; 8:45 am]

BILLING CODE 4830–01–P

Proposed Collection; Comment Request for Form 8815

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 8815, Exclusion of Interest From Series EE U.S. Savings Bonds Issued After 1989.

DATES: Written comments should be received on or before May 28, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Martha R. Brinson, (202) 622–3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Exclusion of Interest From Series EE U.S. Savings Bonds Issued After 1989.

OMB Number: 1545–1173.

Form Number: Form 8815.

Abstract: If an individual redeems series EE U.S. savings bonds issued after 1989 and pays qualified higher education expenses during the year, the interest on the bonds may be excludable from income. Form 8815 is used by the individual to figure the amount of savings bond interest that is excludable.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 25,000.

Estimated Time per Respondent: 2 hr., 1 min.

Estimated Total Annual Burden Hours: 50,420.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Approved: March 22, 1996.

Garrick R. Shear,

IRS Reports Clearance Officer.

[FR Doc. 96–7768 Filed 3–28–96; 8:45 am]

BILLING CODE 4830–01–P

Proposed Collection; Comment Request for Form 2441

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 2441, Child and Dependent Care Expenses.

DATES: Written comments should be received on or before May 26, 1996 to be assured of consideration.

ADDRESSES: Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Martha R. Brinson, (202) 622–3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

SUPPLEMENTARY INFORMATION:

Title: Child and Dependent Care Expenses.

OMB Number: 1545–0068.

Form Number: Form 2441.

Abstract: Internal Revenue Code section 21 allows a credit for certain child and dependent care expenses to be claimed on Form 1040 (reduced by employer-provided day care excluded under Code section 129). Form 2441 is used to verify that the credit and exclusion are properly figured, and that day care provider information is reported.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 4,421,940.

Estimated Time per Respondent: 2 hr. 30 min.

Estimated Total Annual Burden Hours: 11,054,850.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Approved: March 21, 1996.

Garrick R. Shear,

IRS Reports Clearance Officer.

[FR Doc. 96–7769 Filed 3–28–96; 8:45 am]

BILLING CODE 4830–01–P

Renewable Electricity Production Credit, Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 1996

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Publication of inflation adjustment factor and reference prices for calendar year 1996 as required by section 45(d)(2)(A) (26 U.S.C. 45(d)(2)(A)).

SUMMARY: The 1996 inflation adjustment factor and reference prices are used in determining the availability of the renewable electricity production credit under section 45(a).

DATES: The 1996 inflation adjustment factor and reference prices apply to calendar year 1996 sales of kilowatt hours of electricity produced in the United States or a possession thereof from qualified energy resources.

INFLATION ADJUSTMENT FACTOR: The inflation adjustment factor for calendar year 1996 is 1.0750.

REFERENCE PRICES: The reference prices for calendar year 1996 are 5.5¢ per kilowatt hour for facilities producing electricity from wind and 0¢ per kilowatt hour for facilities producing electricity from closed-loop biomass. The reference price for electricity produced from closed-loop biomass, as defined in section 45(c)(2), is based on a determination under section 45(d)(2)(C) that in calendar year 1995 there were no sales of electricity generated from closed-loop biomass energy resources under contracts entered into after December 31, 1989.

Because the 1996 reference prices for electricity produced from wind and closed-loop biomass energy resources do not exceed 8¢ multiplied by the inflation adjustment factor, the phaseout of the credit provided in section 45(b)(1) does not apply to electricity sold during calendar year 1996.

CREDIT AMOUNT: As required by section 45(b)(2), the 1.5¢ amount in section 45(a)(1) is adjusted by multiplying such amount by the inflation adjustment factor for the calendar year in which the sale occurs. If any amount as increased under the preceding sentence is not a multiple of 0.1¢, such amount is rounded to the nearest multiple of 0.1¢. Under the calculation required by section 45(b)(2), the renewable electricity production credit for calendar year 1996 under section 45(a) is 1.6¢ per kilowatt hour on the sale of electricity produced from closed-loop biomass and wind energy resources.

FOR FURTHER INFORMATION CONTACT: David A. Selig, IRS, CC:DOM:P&SI:5, 1111 Constitution Ave., NW., Washington, D.C. 20224, (202) 622–3040 (not a toll-free call).

Judith C. Dunn,

Associate Chief Counsel (Domestic).

[FR Doc. 96–7656 Filed 3–28–96; 8:45 am]

BILLING CODE 4830–01–P

Office of Thrift Supervision

[AC–22; OTS No. 05338]

First Federal Savings and Loan Association of Herrin, Herrin, Illinois; Approval of Conversion Application

Notice is hereby given that on March 22, 1996, the Director, Corporate Activities, Office of Thrift Supervision, or her designee, acting pursuant to delegated authority, approved the application of First Federal Savings and Loan Association of Herrin, Herrin, Illinois, to convert to the stock form of organization. Copies of the application are available for inspection at the Dissemination Branch, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552, and the Central Regional Office, Office of Thrift Supervision, 200 West Madison Street, Suite 1300, Chicago, Illinois 60606.

Dated: March 26, 1996.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Corporate Secretary.

[FR Doc. 96–7758 Filed 3–28–96; 8:45 am]

BILLING CODE 6720–01–P

[AC–21; OTS No. 5755]

The Lexington Building and Loan Association, F.A., Lexington, Missouri; Approval of Conversion Application

Notice is hereby given that on March 25, 1996, the Director, Corporate Activities, Office of Thrift Supervision, or her designee, acting pursuant to delegated authority, approved the application of The Lexington Building and Loan Association, F.A., Lexington, Missouri, to convert to the stock form of organization. Copies of the application are available for inspection at the Dissemination Branch, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552, and the Midwest Regional Office, Office of Thrift Supervision, 122 W. John Carpenter Freeway, Suite 600, Dallas, Texas 75039–2010.

Dated: March 26, 1996.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Corporate Secretary.

[FR Doc. 96–7757 Filed 3–28–96; 8:45 am]

BILLING CODE 6720–01–P

DEPARTMENT OF VETERANS AFFAIRS

Medical Research Service Cooperative Studies Evaluation Committee; Notice of Meeting

The Department of Veterans Affairs gives notice under Public Law 92–463 (Federal Advisory Committee Act), as amended, by section 5(c) of Public Law 94–409, that a meeting of the Medical Research Service Cooperative Studies Evaluation Committee will be held at the Ramada Hotel (Old Town) Alexandria, VA 22314, April 23–24, 1996. The session on April 23 is scheduled to begin at 7:30 a.m. and end at 5 p.m. and on April 24 from 7:30 a.m. to 3 p.m. The meeting will be for the purpose of reviewing five new protocols for multi-hospital clinical trial: one on treatment of seizures in the elderly, one on treatment of cirrhosis in patients with alcoholic liver disease; one on comparison of three procedures for bleeding esophageal varices; one on naltrexone treatment of alcoholism; and one on specialized medication and revascularization therapy and progress of two on-going cooperative studies, one on risk factors for colon cancer and one on genetic study on schizophrenia.

The Committee advises the Director, Medical Research Service, through the Chief of Cooperative Studies Program on the relevance and feasibility of the studies, the adequacy of the protocols, and the scientific validity and propriety of technical details, including protection of human subjects.

The meeting will be open to the public up to the seating capacity of the room from 7:30 a.m. to 8 a.m. on both days to discuss the general status of the program. To assure adequate accommodations, those who plan to attend should contact Dr. Ping Huang, Coordinator, Medical Research Service, Cooperative Studies Evaluation Committee, Department of Veterans Affairs, Washington, DC, (202) 565–7154, prior to the meeting.

The meeting will be closed from 8 a.m. to 5 p.m. on April 23, 1996, and from 8 a.m. to 3 p.m. on April 24, 1996, for consideration of specific proposal in accordance with provisions set forth in section 10(d) of Public Law 92–463, as amended by section 5(c) of Public Law 94–409, and 5 U.S.C. 552b (c)(6). During this portion of the meeting, discussions and recommendations will deal with qualifications of personnel conducting the studies, staff and consultant critiques of research protocols, and similar documents, and the medical records of patients who are study subjects, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dated: March 22, 1996.

By direction of the Secretary.

Heyward Bannister,

Committee Management Officer.

[FR Doc. 96–7648 Filed 3–28–96; 8:45 am]

BILLING CODE 8320–01–M

federal register

Friday
March 29, 1996

Part II

Department of Health and Human Services

Public Health Service

Announcement of Availability of Grants for General Family Planning Training Projects; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Announcement of Availability of Grants for General Family Planning Training Projects

AGENCY: Office of Family Planning, OPA, PHS.

ACTION: Notice.

SUMMARY: The Office of Family Planning (OFP) of the Office of Population Affairs requests applications for grants under the Family Planning Service Training Program authorized under section 1003 of the Public Health Service (PHS) Act (42 U.S.C. 300a–1(a)). Funds are available to train family planning personnel in order to maintain the high level of performance of family planning services projects funded under Title X of the PHS Act. Training will be provided under this announcement at general training centers in three of the Department of Health and Human Services' (DHHS) regions.

DATES: To receive consideration, applications must be received by the Grants Management Office no later than May 28, 1996. Applications will be considered as meeting the deadline if they are either (1) received on or before the deadline date, or (2) postmarked on or before the deadline date and received in time for submission to the review committee. A legibly dated receipt from a commercial carrier or U.S. Postal Service will be accepted in lieu of a postmark. Private metered postmarks will not be accepted as proof of timely mailing. Applications which are postmarked or delivered to the Grants Management Office later than May 28, 1996 will be judged late and will not be accepted for review. Applications which do not conform to the requirements of the program announcement or meet the applicable requirements of 42 CFR part 59, subpart C, will not be accepted for review. Applicants will be notified, and applications will be returned.

ADDRESSES: Requests for application kits may be faxed to (301) 594–5980. Application kits may also be obtained from and applications must be submitted to the Office of Population Affairs, Grants Management Office, 4350 East-West Highway, Suite 200, West Tower, Bethesda, MD 20814.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Moskosky, Office of Family Planning at (301) 594–4008 is available for assistance on scientific, technical and program aspects, or Ms. Diane J. Osterhus, Grants Management Officer at (301) 594–4012 is available for business management issues. Staff are available to answer questions and provide limited technical assistance in the preparation of grant applications.

SUPPLEMENTARY INFORMATION: Title X of the PHS Act, 42 U.S.C. 300, *et seq.*, authorizes the Secretary of Health and Human Services to award grants for projects to provide training for family planning service personnel. (Catalog of Federal Domestic Assistance Number 93.260). This notice announces the availability of approximately $700,000 in funding and solicits applications for three general training projects to assist in the establishment and operation of regional training centers for Regions I, V, and VII. Grants will be funded within certain ranges, as set out below. The funding ranges for the regions are determined based on the assessment of the Deputy Assistant Secretary for Population Affairs (DASPA) of the regions' relative need for training funds; funding of individual grants within each funding range will be based on the DASPA's assessment of such factors as the training needs within the region and the cost and availability of personnel for training.

The training projects are as follows:

One general training grant for DHHS Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont). A funding range of $181,500–$200,600 is available for this grant.

One general training grant for DHHS Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin). A funding range of $315,400–$348,600 is available for this grant.

One general training grant for DHHS Region VII (Iowa, Kansas, Missouri, Nebraska). A funding range of $168,400–$186,100 is available for this grant.

Statutory and Regulatory Background

Title X of the PHS Act, enacted by Public Law 91–572, authorizes grants for projects to provide family planning services to persons from low-income families and others. Section 1001 of the Act, as amended, authorizes grants ''to assist in the establishment and operation of voluntary family planning projects which shall offer a broad range of acceptable and effective family planning methods and services (including natural family planning methods, infertility services and services for adolescents).'' Section 1003 of the Act, as amended, authorizes the Secretary to make grants to entities to provide the training for personnel to carry out the family planning services programs.

The regulations set out at 42 CFR part 59, subpart C, govern grants for family planning services training. Prospective applicants should refer to the regulations in their entirety.

Role and Operation of the Training Program

Under the regulations, ''training'' means job-specific skill development. Continuing education activities that are innovative or non-traditional are encouraged. The development or use of self-paced, self-instructional or other training materials which utilize technological advancements in the learning field are also acceptable.

The purpose of the general training program is to provide short-term training, continuing education, inservice education and staff development for personnel in order to improve or maintain at a high level the performance of Title X family planning services providers.

Successful applicants will be required to work closely with a network of other PHS agencies, including the central and regional office staffs, Title X service delivery providers, and regional training advisory committees which provide representation from all service grantees. Successful applicants will be required to review and consider policy and program goals of the Title X family planning program, solicit advice from the regional training advisory committee, and consult with Title X service delivery providers about training priorities, course content, and curriculum. Because of outcomes from the community planning process and emphasis on community involvement, successful applicants should also stress mechanisms that solicit input from the ''customer,'' both clinician and client.

In developing curricula and training programs, general training programs supported under this announcement should be sensitive to the importance of supporting the program priorities of the Title X services program, which include:

- Increased outreach to individuals not likely to seek services, including homeless persons, disabled persons, substance abusers and adolescents;
- Expansion of comprehensiveness of reproductive health services, including STD and cancer screening and prevention, increased involvement of male partners, HIV prevention, education and counseling, and substance abuse screening and referral;
- Increased emphasis on services to adolescents, including more community education, emphasis on postponement of sexual activity, and more accessible

provision of contraceptive counseling and contraception;

- Elimination of disincentives to providing long-acting, highly effective contraceptives, serving high risk (and high-unit cost) clients, and providing nonrevenue-generating services, such as community education and prevention services; and
- Increased emphasis on training and retention of Women's Health nurse practitioners, particularly minority nurse practitioners and nurse practitioners serving disadvantaged and medically underserved communities.

Applicants must be prepared to focus training on emerging issues, such as managed care, new concepts in communication and increased emphasis on public information and education. The DHHS project officer or designee may periodically direct the training grantee to make adjustments in the training agenda. The applicant must demonstrate the ability to be flexible in terms of scheduling training that responds to emerging issues as directed by the DHHS project officer or designee. All training events shall be approved (in advance) by the DHHS project officer or designee.

Successful applicants will be responsible for the overall management of a general training program within the geographic area for which the grant is made. This responsibility includes:

- Developing an annual training plan which demonstrates flexibility in responding to emerging focus areas, and which reflects national and regional goals and the training needs of local Title X service providers;
- Developing criteria for selection of staff or consultants who will conduct training, including prerequisite qualifications. Such criteria should reflect a sensitivity to the unique types of training that will be needed to address emerging issues;
- Developing a process to identify the appropriateness of training offerings for the various levels of Title X services grantee personnel;
- Maintaining data on the regional training program sufficient to allow evaluation by central and regional offices, and self-evaluation by the training grantees;
- Developing and implementing an annual training schedule which includes measurable objectives for sessions, and which confers continuing education units to participants where appropriate;
- Making available at cost all materials developed with Title X funds to other federally-funded projects upon request;
- Attending at least one training meeting called by Central Office annually.

Application Requirements

Applications must be submitted on the forms supplied (PHS–5161–1) (OMB Approval No. 0937–0189) and in the manner prescribed in the application kits available from the Office of Grants Management. Applicants are required to submit an application signed by an individual authorized to act for the applicant agency or organization and to assume for the organization the obligations imposed by the terms and conditions of the grant award. Applicants are required to submit an original application and two copies.

Accepted applications will be subjected to a competitive review process. The results of this review will assist the DASPA in considering competing applications and in making the final funding decisions.

Any public or private nonprofit organizations or agency is eligible to apply for a grant. It is not required that an entity applying for a grant be physically located in the region to be served by the proposed project. Awards will be made only to those organization or agencies which have demonstrated the capability of providing the proposed services, and which have met all applicable requirements.

A copy of the legislation and regulations governing this program will be sent to applicants as part of the application kit package. Applicants should use the legislation, regulations and information included in this announcement to guide them in developing their applications. Applications should be limited to 50 doubled-spaced pages, not including appendices providing curriculum vitae or statements of organizational capabilities.

Application Consideration and Assessment

Eligible competing grant applications will be reviewed by a multidisciplinary panel of independent reviewers and assessed according to the following criteria:

1. The extent to which the proposed training program will enhance the delivery of services to Title X clients, particularly persons from low-income families. (15 points)

2. The extent to which the proposed training program has the potential to fulfill the training needs of the family planning services grantees in the areas to be served, which may include among other things:

a. Development of a capability within family planning services projects to provide pre- and in-service training to their own staffs;

b. Improvement of the family planning service delivery skills of family planning and health services personnel; and

c. Improvement in the utilization and career development of paraprofessional and paramedical manpower in family planning services.

Total consideration for a, b, and c. (15 points)

3. The extent to which the training program proposes appropriate strategies to improve the provision of family planning services in rural areas and Health Professional Shortage Areas (HPSAs). (10 points)

4. The capacity of the applicant to make rapid and effective use of the training grant. (10 points)

5. The administrative and management capability and competence of the project staff and applicant organization. (15 points)

6. The ability of the applicant to be flexible in making timely adjustments to the training agenda in order to meet emerging family planning needs, as directed by the DHHS project officer or designee. (20 points)

7. The degree to which the project plan adequately provides for the requirements set forth in 42 CFR 59.205, including the applicant's presentation of the project's objectives, the methods for achieving project objectives, the ability to involve providers and the regional office, and the results or benefits expected. (15 points)

In making grant award decisions, the DASPA will fund those projects which will, in her judgment, best promote the purposes of section 1003 of the Act, within the limits of funds available for such projects.

Grants will be approved for project periods of up to 3 years. Grants are funded in annual increments (budget periods). Funding for all approved budget periods beyond the first year of the grant is contingent upon satisfactory progress of the project, efficient and effective use of grant funds provided, and availability of funds.

Review Under Executive Order 12372

Applicants under this announcement are subject to the review requirements of Executive Order 12372, Intergovernmental Review of Department of Health and Human Services Programs and Activities, as implemented by 45 CFR part 100. As soon as possible, the applicant should discuss the project with the State Single point of Contact (SPOC) for each state in the area to be served. The application kit contains the currently available listing of the SPOCs which have elected to be informed of the submission of applications. For those States not represented on the listing, further inquiries should be made by the applicant regarding the submission of the relevant SPOC. The SPOC's comment(s) should be forwarded to the Office of Population Affairs, Grants Management Office, 4350 East-West Highway, Suite 200, West Tower, Bethesda, MD 20814. Such comments must be received by the Office of Population Affairs by May 28, 1996 to be considered.

When final funding decisions have been made, each applicant will be notified by letter of the outcome. The official document notifying an applicant that a project application has been approved for funding is the Notice of Grant Award, which specifies to the grantee the amount of money awarded, the purposes of the grant, and terms and conditions of the grant award.

Dated: March 20, 1996.

Felicia H. Stewart,

Deputy Assistant Secretary for Population Affairs.

[FR Doc. 96–7638 Filed 3–28–96; 8:45 am]

BILLING CODE 4160–17–M

federal register

Friday
March 29, 1996

Part III

Department of Defense

General Services Administration

National Aeronautics and Space Administration

48 CFR Part 31

Federal Acquisition Regulation; Contractor Overhead Certification; Proposed Rule

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 31

[FAR Case 92–613]

RIN 9000–AG85

Federal Acquisition Regulation; Contractor Overhead Certification

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: The Civilian Agency Acquisition Council (CAAC) and the Defense Acquisition Regulations Council (DARC) are considering revisions to the Federal Acquisition Regulation to clarify the allowability of certain costs. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

DATES: Comments should be submitted on or before May 28, 1996, to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to: General Services Administration, FAR Secretariat, (VRS), 18th & F Streets NW., Room 4037, Washington, DC 20405.

Please cite FAR case 92–613 in all correspondence related to this case.

FOR FURTHER INFORMATION CONTACT: Mr. Jeremy F. Olson at (202) 501–3221 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405; telephone: (202) 501–4755. Please cite FAR case 92–613.

SUPPLEMENTARY INFORMATION:

A. Background

The General Accounting Office (GAO), in its report GAO/NSIAD–93–79, ‘‘CONTRACT PRICING: Unallowable Costs Charged to Defense Contracts,’’ dated November 20, 1992, reported many instances where contractors had proposed costs for gifts and entertainment that appeared to be questionable. Some of those costs appeared to be unallowable under the existing cost principles and others, while not specifically unallowable, appeared to be unreasonable. GAO recommended that FAR 31.205–1, 31–205–13, and 31.205–14 be revised to eliminate confusion as to which cost principle was controlling. The December 1992 OMB SWAT summary report on civilian agency contracting practices also recommended these cost principles be made more explicit.

This proposed rule removes from paragraph (f)(5) of the cost principle at FAR 31.205–1, Public relations and advertising costs, the parenthetical reference to other cost principles to eliminate any confusion as to which cost principle governs. Other recommendations made by GAO and the OMB SWAT concerning further revisions to the cost principles have now been overtaken by the implementation of the Federal Acquisition Streamlining Act of 1994 (FASA), Public Law 103–355. These include revisions to FAR 31.205–13 and 31.205–14, which were published as final in the Federal Register at 60 FR 42648, August 16, 1995, under FAR Case 94–750, Entertainment, Gift, and Recreation Costs for Contractor Employees. FAR Case 94–750 implements section 2192 of FASA. Revisions to FAR Parts 42 and 52, requiring contractors to certify that indirect cost rate proposals do not contain unallowable costs, were published as a final rule in the Federal Register at 60 FR 42663, August 16, 1995, under FAR Case 94–752, Contractor Overhead Certification, which implements section 2151 of FASA.

B. Regulatory Flexibility Act

This proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because most contracts awarded to small businesses are awarded through sealed bidding on a firm fixed-price basis. The cost principles apply only where contracts are based on cost or pricing data. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. Comments from small entities concerning the affected FAR subpart will be considered in accordance with section 610 of the Act. Such comments must be submitted separately and should cite 5 U.S.C. 601, et seq., (FAR case 92–613), in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, et seq. 5 CFR 1320.7(j)(1) provides an exclusion for certifications when they entail no burden other than necessary to identify the respondent, the date, the respondent’s address and the nature of the instrument.

List of Subjects in 48 CFR Part 31

Government procurement.

Dated: March 25, 1996.

Edward C. Loeb,

Director, Federal Acquisition Policy Division.

Therefore, it is proposed that 48 CFR part 31 be amended as set forth below:

1. The authority citation for 48 CFR part 31 continues to read as follows:

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

31.205–1 [Amended]

2. Section 31.205–1(f)(5) is amended by removing the parenthetical.

[FR Doc. 96–7687 Filed 3–28–96; 8:45 am]

BILLING CODE 6820–EP–P

federal register

Friday
March 29, 1996

Part IV

Department of Housing and Urban Development

NOFA for the Traditional Indian Housing Development Program for Fiscal Year 1996; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4001–N–01]

Office of the Assistant Secretary for Public and Indian Housing; NOFA for the Traditional Indian Housing Development Program for Fiscal Year 1996

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of funding availability (NOFA) for Fiscal Year 1996.

SUMMARY: This notice announces the availability of approximately $160,000,000 in Fiscal Year (FY) 1996 funding for the development of new Indian Housing (IH) units and provides the applicable criteria, processing requirements and action timetable. All Indian housing authorities (IHAs) which have not been determined to be administratively incapable, in accordance with 24 CFR 950.135, are invited to submit applications for Indian Housing developments in accordance with the requirements of this NOFA.

Note: The Congress has not yet enacted a U.S. Department of Housing and Urban Development and Independent Agencies Appropriations Act for Fiscal Year 1996. However, HUD is publishing this notice in order to give potential applicants adequate time to prepare applications. The estimate of the amount of funds available for this program is based on the anticipated level of funding for FY 1996. HUD is not bound by the estimate set forth in this notice.

DATES: Applications must be physically received by the area Office of Native American Programs (ONAP), within whose jurisdiction the applicant is located, on or before 3:00 p.m., ONAP local time, April 13, 1996. The applicant shall submit its application(s) for new housing units on Form HUD–52730 with all supporting documentation required by Appendix 2, and for demolition or disposition in accordance with 24 CFR part 950, subpart M.

FOR FURTHER INFORMATION CONTACT: Applicants may contact the appropriate area ONAP for further information. Refer to Appendix 1, for a complete list of ONAPs and telephone numbers.

SUPPLEMENTARY INFORMATION:

Background Information

Paperwork Reduction Act Statement

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), the information collection requirements contained in these application procedures for development funds were reviewed by the Office of Management and Budget and assigned OMB control number 2577–0130. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

Changes from FY 1995 NOFA

The Indian Housing Development NOFA for FY 1996 is essentially the same document published for the FY 1995 funding cycle with the following substantive changes:

A. Funding for replacement units. In prior year NOFAs, funding to replace units approved for demolition/disposition was set aside from the national allocation of new Indian Housing Development funds. Under this NOFA, funds are being withheld sufficient to fund replacement of units approved for demolition/disposition prior to FY 1996. For units approved for demolition/disposition in FY 1996, replacement housing may be funded by each area ONAP utilizing funds assigned to the area ONAP for new Indian Housing units.

B. IHAs impacted by the rescission of new Indian Housing Development funds in FY 1995. IHAs that lost units/funds due to the rescission of new Indian Housing Development funds in FY 1995 who are eligible to submit applications for funding in FY 1996 may submit an additional application(s) to replace the lost units/funds. An additional rating factor has been added which is applicable for those IHA's which lost funds/units due to the rescission.

C. Special provisions for state created IHAs for non-Federally recognized tribes. Application requirements applicable to state created IHAs for non-Federally recognized tribes have been included to highlight the corresponding regulatory requirement at 24 CFR 950.225(a)(3).

D. Treatment of minor technical deficiencies. To reduce workload requirements for IHAs, ONAPs will not request correction of minor technical deficiencies in applications until after completion of the rating and ranking. Only IHAs within a reasonable funding range will be requested to correct minor technical deficiencies.

E. Rating criterion for length of time since the last new Indian Housing Development grant award. This rating criterion has been simplified to provide each application with two points per year for each year since the last grant award through FY 1994.

F. Limit on awards to new IHAs. To assist new IHAs in establishing administration without overtaxing the organization, new IHAs are limited to submitting one application, either for mutual help or low rent units for a maximum of 15 units.

G. Submission of cooperation agreements. To avoid unnecessary work for IHAs that do not rank within the funding range, the timing of the submission of cooperation agreements is changed to after funding decisions are made. Where required, valid cooperation agreement(s) must be submitted to the area ONAP before an Annual Contributions Contract is executed and a Development Cost Budget is approved which exceed the requirements for planning funds as specified at 24 CFR 950.229(a)(1).

I. New Development

A. Authority. 1. Statutory Authority. Sections 5 and 6, U.S. Housing Act of 1937 (42 U.S.C. 1437c, 1437d), as amended; Section 23 U.S. Housing Act of 1937, as amended by section 554, Cranston-Gonzalez National Affordable Housing Act; section 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d).

2. Indian Housing Regulations. Indian Housing Development regulations are published at 24 CFR part 950.

3. 24 CFR Part 135. Economic Opportunities for Low and Very Low Income Persons. All applicants are herein notified that the provisions of section 3 of the Housing and Urban Development Act of 1968, as amended, and the regulations in 24 CFR part 135 are applicable to funding awards made under this NOFA. One of the purposes of the assistance is to give, to the greatest extent feasible, and consistent with existing Federal, state, and local laws and regulations, job training, employment, contracting and other economic opportunities to section 3 residents and section 3 business concerns. IHAs and tribes that receive HUD assistance described in this part shall comply with the procedures and requirements of this part to the maximum extent consistent with, but not in derogation of, compliance with section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b).

B. Development Allocation Amount. The Indian Housing Development funds for FY 1996 total approximately $160,000,000.

Note: The Congress has not yet enacted a U.S. Department of Housing and Urban Development and Independent Agencies Appropriations Act for Fiscal Year 1996. However, HUD is publishing this notice in order to give potential applicants adequate time to prepare applications. The estimate of the amount of funds available for this program is based on the anticipated level of funding for FY 1996. HUD is not bound by the estimate set forth in this notice.

Each of the ONAP jurisdictions has been designated as the smallest practical area for the allocation of assistance. Funds available for new units will be assigned to the ONAPs consistent with 24 CFR 791.403.

Up to $2,971,674 of the available Indian Housing Development funds will be made available by the Department in order to provide funds needed to replace units approved for demolition/ disposition in FY 1995 or prior years. Any portion of the $2,971,674 withheld for pre-FY 1996 replacement units that is not designated for demolition/ disposition replacements by July 1, 1996, as well as any amounts of actual recaptures that are realized and reallotted to the program, will be made available to the six ONAPs on the same basis as the amounts allocated for new units.

Replacement units for demolition/ disposition approved in FY 1996 may be funded from assignments for new Indian Housing units provided to the area ONAP within whose jurisdiction such Indian housing authority resides. Funding of replacement units is not subject to the competition announced by this NOFA.

The competitive process described in this NOFA will be used to select IHA applications to be funded for new Indian Housing units. Departmental compliance with the metropolitan/non-metropolitan provisions of section 213(d) of the Housing and Community Development Act of 1974 may require the selection of lower rated metropolitan applications over higher rated non-metropolitan applications. Based upon an assumed appropriation of $160,000,000, the table below indicates the grant authority available for new units in FY 1996 for the six ONAPs, inclusive of funds needed to meet off-site sewer and water requirements.

ONAP location	Funds assigned
Eastern/Woodlands	$22,069,860
Southern Plains	23,164,348
Northern Plains	18,051,820
Southwest	48,802,519
Northwest	14,248,750
Alaska	30,691,029
Total	157,028,326

C. Eligibility for New Housing Units. 1. Eligible applicants. All IHAs which meet the eligibility criteria specified at 24 CFR 950.207 are invited to submit applications for new Indian Housing units. All IHAs that have developments assisted under the U. S. Housing Act of 1937, as amended, and meet the requirements of 24 CFR part 950 subpart M, may apply for funds for demolition or disposition, whether eligible for new units or not. Such applications are not limited to the application due date specified in this NOFA.

2. Applications. IHAs may submit one application per program type (mutual help and low rent). Umbrella IHAs may submit one application per program type for each member tribe. An umbrella IHA is one that serves two or more Federally recognized tribes or Alaska native villages. New IHAs or existing umbrella IHAs with new, previously unserviced member tribes may submit one application for a maximum of 15 units (either mutual help or low rent).

3. Impact of funds rescinded in FY 1995. IHAs which lost funds/units as a result of the *Emergency Supplemental Appropriations for Additional Disaster Assistance, Anti-Terrorism Initiatives, for Assistance in the Recovery From the Tragedy That Occurred at Oklahoma City, and Rescissions Act, 1995,* (Pub. L. 104–19, approved July 27, 1995) may submit an application (or one per program type, if appropriate) in addition to the applications allowed under paragraph 2 above if the funds rescinded were equal to or greater than 80 percent of the cost of a typical 3 bedroom unit as specified in Notice PIH 95–46 (HUD) for the IHA's total development cost area(s). Umbrella IHAs may submit an application (or one per program type, if appropriate) for each member tribe impacted by the FY 1995 rescission. Project terminations and funding reductions in FY 1995 for projects that failed to reach construction start within 30 months after initial grant approval (see 24 CFR 950.210(c)) will not be considered for funding under the provisions of this paragraph. Funds requested for applications under this category will be adjusted to the amount required to fund the number of units nearest the amount rescinded.

4. State created IHAs for non-Federally recognized tribes. To be considered responsive to this NOFA and to be included in the rating and ranking of applications, state created IHAs for non-Federally recognized tribes must identify the general locality where the proposed units will be developed and certify that the proposed area of development is within the area of operation of the IHA. Area of operation is defined as a land area with defined geographical boundaries, which has a significant concentration of Indian families who are:

(i) Not eligible to be served by a public housing authority or other tribally created IHA; and

(ii) Have a bona fide historic presence or connection with the land, as recognized by the Federal Government or a state.

D. Development Award Application Process. 1. Application Due Date. An IHA may submit an application(s) for a project at any time after the publication date of this NOFA, to the ONAP having jurisdiction over the IHA applicant on or before 3:00 p.m., ONAP local time, May 13, 1996, for new Indian Housing units. The application(s) shall be submitted on Form HUD–52730 and shall be accompanied by all the legal and administrative attachments required by the form and the items specified in Appendix 2. A facsimile of the application will NOT constitute physical delivery.

The application deadline is firm as to date and hour. HUD will treat as ineligible for consideration any application that is received after the application deadline. Applicants should make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery related problems.

2. Application Kit. An application kit and applicable forms may be obtained from any ONAP listed in Appendix 1.

3. Submittal of Complete Application. Completed applications must be submitted to the ONAP, within whose jurisdiction the IHA applicant is located, at the address/location listed in Appendix 1.

4. Action on Application. When the application is received by HUD, a written notification will be provided to the IHA showing the date and time the application was received in the ONAP. The ONAP will review each application for completeness and legal sufficiency. Applications that contain insufficient information to allow the ONAP to rate and rank the application will be considered non-responsive and will be returned to the IHA. After completion of this review, the ONAP will rate and rank all remaining applications received from eligible applicants. The ranking will result in an ordered listing of applicants (see E.2. below). After completion of the rating and ranking, the ONAP may request, in writing, items missing from responsive applications from applicants who appear to be within 110 percent of the funding range. IHAs notified to provide information missing from the application have 14 days from the date of such notification to submit such information to the ONAP before the application is considered non-responsive and is removed from funding consideration.

E. Rating Factors and Selection Criteria. 1. Rating and Ranking. Rating and ranking of applications from IHAs for new Indian Housing units will be done in accordance with 24 CFR 950.225. Applications from new IHAs, or, in the case of an umbrella IHA that has added a new tribe, the application from the new tribe, will receive 100 points. If an IHA that serves more than one tribal government, or, in the case of Alaska, more than one village, submits applications for housing units in several of the communities, each application will be treated separately, for purposes of the number of points awarded. Newly created IHAs for tribes which have previously received housing units under an umbrella IHA shall not be awarded 100 points but scored as an established IHA utilizing the best available data relevant to the tribe's housing program. For each ONAP jurisdiction, the rankings will be based on awarding points to each application for the following categories in accordance with the table of maximum points available per category by ONAP jurisdictional area (see h. below):

a. *The relative unmet IHA need* for housing units compared to the other eligible applications for that program type [i.e., low rent (LR) or mutual help (MH)], based on IHA waiting lists and the total number of units in management and in the development pipeline. There should be a separate waiting list for each program type. This need will be measured for each program type by dividing the number of families on the waiting list, by the IHA's total number of units in management and under development. If the result of this division is greater than 1.00, the maximum points for this category shall be awarded. Otherwise, the result of this division shall be multiplied by the maximum possible points available. If the IHA has 500 or more families on the waiting list, it is awarded the maximum points available for the category. If questions arise regarding the veracity of information on a waiting list, an ONAP may request an applicant to submit documentation supporting waiting list numbers, or may visit the IHA and review documentation maintained by the IHA.

b. *The relative IHA occupancy rate compared to the occupancy rates of other eligible IHA applications for that program type.* The occupancy rate for an IHA shall be derived from the most recent data entered in the HUD Management Information Retrieval System (MIRS) national data base, which reports total units available and total units occupied based on information supplied by IHAs on forms submitted periodically to HUD. For all IHA projects in management, the total number of units occupied is divided by the total number of units available, multiplied by 100. This occupancy rate for an IHA will then be divided by the highest occupancy rate of any IHA (never to exceed 97%, in any event), and this ratio shall be multiplied by the maximum points available for the category to calculate an IHA's points for this category. An existing IHA that is applying for a previously unfunded program type will be awarded a score equal to the highest rated score for this factor in the ONAP jurisdiction competition. A newly created IHA for a tribe which previously received housing units under an umbrella IHA shall be awarded a score based on the units within such tribe's jurisdiction whether or not such units have been transferred to the newly created IHA.

c. *Length of time since the last new Indian Housing Development grant was approved.* Two points will be awarded for each year since the last grant award up to and including FY 1994, up to the maximum points available under this category. A newly created IHA for a tribe which previously received housing units under an umbrella IHA shall be awarded a score based on the last new Indian Housing Development grant approved within such tribe's jurisdiction. Units received for demolition or disposition purposes will not be counted for rating and ranking purposes for new Indian Housing units in FY 1996.

d. *Current IHA development and physical improvements activity.* This factor evaluates the IHA's performance during the past 24 months in developing new housing or maintaining/improving current housing. The ONAP will evaluate the IHA's performance in these areas and will award points based upon but not limited to:

(1) Compliance with the requirements specified under 24 CFR 950.207(b);

(2) Compliance with CompGrant/modernization implementation schedules;

(3) Effectiveness of maintenance policies and procedures in protecting physical assets of the IHA;

(4) Effectiveness of the IHA's development and physical improvements contract administration.

The ONAP will prepare written support for the number of points awarded which will be available to the IHA upon request. The ONAP shall take into consideration any unforeseen events such as natural disasters or other factors that may have precluded the IHA from meeting the criteria for this factor. The maximum points available for this category are listed in the table under h. below. A newly created IHA for a tribe which previously received housing units under an umbrella IHA shall be awarded a score based on the IHA's plan for developing and maintaining the units.

e. *IHAs impacted by the FY 1995 rescission.* Each application submitted under the provisions of I.C.3. of this part shall be awarded 35 points.

f. *A bonus* of up to 5 points will be awarded to any application where the applicant clearly demonstrates:

(1) Pre-planning of site selection and coordination with other funding agencies, utility companies, and tribal departments, or

(2) That the applicant has identified and selected sites for the development which result in savings of not less than 5 percent of the proposed development cost from using existing utility systems, pre-developed subdivision sites, or other items documented by the applicant.

(3) Innovative approaches to development or financing which will significantly reduce the delivery time of housing or expand the number of houses developed without reducing quality.

g. *Computation.* Scores for ranking shall be carried out to two decimal places (xx.xx).

h. *Points available for each rating category.* The following table reflects the maximum points available for each category for each of the ONAP jurisdictional areas:

	Points awarded for rating factors			
	(a) Need	(b) Occupancy	(c) Time	(d) Workoad
Eastern/Woodlands	30	30	20	20
Southern Plains	35	10	25	30
Northern Plains	30	20	20	30
Southwest	40	20	20	20
Northwest	10	10	20	60
Alaska	40	20	20	20

2. Selection Criteria. a. *The ranking process will produce an ordered list* of IHA applications by ONAP jurisdiction that may receive funding. The order is established by the total number of points the application received in the rating process. If any funds remain after the initial funding cycle within the ONAP jurisdiction, the funds will be provided to more fully fund applications that were reduced due to the Maximum Units Award table shown in paragraph b below.

b. *The number of units awarded* shall be based upon the following table to ensure a more equitable distribution and meaningful competition based on need. Exceptions to the maximum number of units awarded based on the table shall be made and approved by the ONAP Administrator upon proper justification. Examples of justifications for varying from the table include equalization of units awarded to IHAs with similar scores or adjustments to assure the award of reasonably sized projects to all IHAs above a minimum score determined by the ONAP.

Waiting list by program type	Eastern/ Woodlands	Southern Plains	Northern Plains	Southwest	Northwest	Alaska
1,000 and above	200	300	20	240	35	300
750 to 999	150	200	20	160	30	200
500 to 749	100	150	20	120	25	150
400 to 499	60	100	20	80	20	100
300 to 399	50	80	20	60	15	80
200 to 299	40	60	20	40	10	60
199 and fewer	25	40	20	25	5	20

c. *Tie breaker.* In the case of ties, priority will be given to the application that has the highest scoring under the *Current IHA development and physical improvements activity* rating criterion (I.E.1.d.).

3. Replacement Housing. IHA applications for demolition or disposition may require a commitment for replacement housing units on a one for one replacement to comply with requirements of Section 18 of the U.S. Housing Act, as amended. IHAs are to process requests for demolition or disposition in accordance with 24 CFR part 905, subpart M.

II. Other Matters

A. HUD Reform Act. 1. Required Disclosures by Applicants.

a. *Disclosures.* All applicants are required to disclose information with respect to any additional funds that can reasonably be expected to be received by them as assistance in excess of $200,000 (in the aggregate) during the Fiscal Year that will be related to the project. Disclosure must be made relative to any related assistance from the Federal instrumentalities (other than HUD), a state, or a unit of general local government that is expected to be made available with respect to the project for which the applicant is seeking assistance. The assistance shall include but not be limited to any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance.

b. *Updates.* The IHA applicant shall update this disclosure within 30 days of any substantial change. This update is required during the period when an application is pending or assistance is being provided.

2. Prohibited Disclosures by HUD Employees. HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989, codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are limited by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Office of Ethics (202) 708–3815. (This is not a toll-free number.) For HUD employees who have specific program questions, such as whether particular subject matter can be discussed with persons outside HUD, the employee should contact the appropriate Field Office Counsel, or Headquarters counsel for the program to which the question pertains.

B. Lobbying. Section 319 of the Department of the Interior and Related Agencies Appropriations Act hereafter referred to as the "Byrd Amendment," prohibits grantees from using any federally appropriated funds to influence federal employees, members of Congress, and congressional staff regarding specific grants or contracts. The Department has determined that the requirements of the Byrd Amendment do not apply to IHAs established by a tribal government exercising its sovereign powers with respect to expenditures specifically permitted by other Federal law. The Byrd Amendment requires all IHAs established under state law to submit the following documents for applications for grants exceeding $100,000.

1. Certification. A certification that no federally appropriated funds will be used for lobbying purposes. The certification shall be submitted on the Form entitled "Certification for

Contracts, Grants, Loans and Cooperative Agreements.''

2. Disclosure Document. A document disclosing any lobbying activities (on Standard Form—LLL, ''Disclosure of Lobbying Activities'') where any funds other than federally appropriated funds will be or have been used to influence federal employees, members of Congress, and congressional staff regarding specific grants or contracts.

C. Conversions. During the first 24 months after Program Reservation, project conversion between program type (LR or MH) may only be considered where:

1. An IHA submitted projects for mutual help (MH) and low rent (LR), each scored high enough to be funded, and the IHA has the waiting list to support the conversion, or

2. If only one application was submitted and approved, the application upon re-ranking in the other program has to score at least 0.01 higher than the number of points achieved by the highest rated application from any IHA which was not funded. If neither circumstance exists, the request to convert will not be approved.

D. Errors in Ranking and Rating Fiscal Year 1995. 1. Errors made by an ONAP during the 1995 fiscal year rating and ranking that resulted in a change of rank order detrimental to an IHA may be corrected as follows:

a. The ONAP will construct a hypothetical distribution that would have existed if the error had not been made, and

b. The ONAP will determine what the unit award/funding would have been for the IHA subject to the funds that were available at the time.

2. Remedial action will be taken for errors made by an ONAP as follows:

a. The ONAP will deduct any funds needed from the FY 1996 fair share assigned to that ONAP before any FY 1996 rating and rankings are completed.

b. A correction of an error for an IHA will not adversely affect the IHA participation in the FY 1996 rating and ranking process. The IHA's application will be rated and ranked on the same basis as other applications and as if no error was made.

E. Environment. A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection during business hours in the Office of the Rules Docket Clerk, Office of General Counsel, room 10276, Department of Housing and Urban Development, 451 Seventh Street, S.W. Washington, D.C. 20410. For individual development projects, the IHA must comply with the environmental review procedures in 24 CFR part 58, including the limitation in section 58.22 on committing or expending funds before environmental clearance, in accordance with 24 CFR 950.247.

F. Other Federal requirements. In order to be eligible for funding, activities must be in compliance with Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR 8 and the Americans with Disabilities Act of 1990 (ADA) and implementing regulations for Title II of the ADA issued by the Department of Justice at 28 CFR part 35.

Dated: March 22, 1996.

Michael B. Janis,

General Deputy Assistant Secretary for Public and Indian Housing.

APPENDIX 1

Tribes & IHAs location	ONAP addresses
East of the Mississippi River (including all of Minnesota) and Iowa: Mohammed Rahmah	Eastern/Woodlands Office of Native American Programs, 5P, Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, Illinois 60604–3507, (312) 353–1282 or (800) 735–3239, TDD Numbers: 1–800–927–9275 or 312–886–3741.
Louisiana, Missouri, Kansas, Oklahoma, and Texas except for Isleta del Sur: Sherri Hunt.	Southern Plains Office of Native American Programs, 6.IPI 500 W. Main, Suite 400, Oklahoma City, Oklahoma 73102, (405) 553–7428, TDD Numbers: (405) 231–4181 or (405) 231–4891.
Colorado, Montana, Nebraska, North Dakota, South Dakota and Wyoming: Ann Roman.	Northern Plains Office of Native American Programs, 8P, First Interstate Tower North, 633 17th Street, Denver, Co 80202–3607, (303) 672–5462, TDD Number: (303) 672–5248.
Arizona, California, and Nevada: John Cata	Southwest Office of Native American Programs, 9EPID, Two Arizona Center, 400 North Fifth Street, Suite 1650, Phoenix, Arizona 85004–2361, (602) 379–4156, TDD Number: (602) 379–4461 or
New Mexico and Isleta del Sur in Texas: Sharon Booth	Albuquerque Division of Native American Programs, 9EPIDI, Albuquerque Plaza, 201 3rd Street, N.W. Suite 1830, Albuquerque, New Mexico 87102–3368, (505) 766–1372, TDD Number: None.
Idaho, Oregon and Washington: Dan Gough	Northwest Office of Native American Programs, 10PI, 909 First Avenue, Suite 300, Seattle, Washington 98104–1000, (206) 220–5270, TDD Number: (206) 220–5185.
Alaska: Donna Hartley	Alaska Office of Native American Programs, 10.1PI, 949 East 36th Avenue, Suite 401, Anchorage, Alaska 99508–4399, (907) 271–4633, TDD Number: (907) 271–4328.

Appendix 2—New Indian Housing Development Application Submission Checklist

Note: Certain submission requirements listed on the following checklist are included on the application form HUD–52730. It is the responsibility of the IHA to assure that all submission requirements of the checklist are met whether through the application form or by separate submittal:

1. Application Form HUD–52730:

—Complete application on Form HUD–52730 (5/94).

—Attach all exhibits and tables as required.

2. IHA Resolution(s): each application must be accompanied by an IHA Resolution which contains the following:

—A statement that authorizes the submission of the application for units.

—A statement explaining how solid waste disposal for the proposed development will be addressed.

—A statement regarding the planned access to public utility services and a listing of any official commitment(s) for these utility services for the development.

—The IHA Resolution must advise HUD of any persons with a pecuniary interest in the proposed development. Persons with a pecuniary interest in the development shall include but not be limited to any developers, contractors, and consultants involved in the application, planning, construction, or implementation of the development. (During the period when an application is pending or assistance is being provided, the applicant shall update the disclosure required within thirty days of any substantial change.)

3. Certifications: Each application must contain the following certifications provided by the Executive Director on IHA letterhead, in addition to the certifications included on Form HUD–52730 (5/94):

—Certification Regarding Drug-Free Workplace Requirements as directed by 24 CFR 24.630(b).
—Certification that the IHA has complied with all requirements of 24 CFR Part 135, which implements Section 3 of the HUD Act of 1968, as amended.

4. Letters: Each IHA application must be accompanied by a letter of support signed by the CEO of the general local government indicating:

—Support for the proposed application and development.
—Support for the IHA's intent to apply for planning funds for the development.
—Where applicable, assurance to HUD that access road needs will be identified by Tribal Resolution (with BIA concurrence) and entered on the BIA Indian Reservation Roads prioritization schedule used by BIA for resource allocation (25 CFR part 170: 57 BIAM 4 and Supplement 4).
—Acknowledgement that there is a need for the housing assistance applied for that is not being met by private enterprise.
—Assurance that there are, or will be available, public facilities and services adequate to serve the proposed housing. (If available, Tribal support is evidenced by attached letters from various organizations that will provide utilities and services to the proposed housing units.)

5. Supporting Documentation: Each application must be accompanied by the following supporting documentation:

—Disclosure of additional assistance from other sources that will be used in association with the project for which the applicant is seeking assistance.
—Statement specifying the number of eligible applicant families by program type (LR or MH). The statement must be supported by a sufficient number of current applications from eligible families maintained by the IHA.

6. Items That Should be Submitted, If Not Previously Submitted:

—Certified Copy of the Transcript of Proceedings containing the IHA Resolution pursuant to which the Application is being made.
—IHA Organization Transcript or General Certificate.
—Tribal Ordinance.

7. Optional Items:

—Cooperation Agreements. Where the provisions of the necessary local government cooperation are not contained in the ordinance or other enactment creating the IHA, the IHA is required to execute a cooperation agreement(s) for the location involved, which is sufficient to cover the number of units in the application. The cooperation agreement may be submitted with the application but shall be submitted before HUD may enter into an Annual Contributions Contract (or amendment thereto) for funds in excess of planning needs of the project.

8. Force Account. To enable the Field Office of Native American Programs to make an initial determination of the viability of the proposal, there are additional submission requirements for the application, including:

—IHA justification for HUD approval of the force account method, pursuant to 24 CFR 950.215(b).
—IHA or Tribal resolution agreeing to cover any costs in excess of the HUD-approved estimated construction cost.
—Evidence that either the IHA or Tribe has the resources to cover such excess costs.
—An action plan as outlined in HUD Handbook 7450.01 REV–1, Chapter 14, paragraph 14–5. (The Handbook has been rescinded; however, it continues to be used as guidance.)

9. Special submittal requirements for state created IHAs for non-Federally recognized tribes:

—Certification, signed by the Chairman of the IHA Board of Commissioners stating that sites selected or to be selected are within the IHA's area of operation.
—Supporting documentation including maps, state laws and local ordinances, and other relevant information which documents the IHA's area of operation, i.e., defined geographic boundaries which have a significant concentration of Indian families who are not eligible to be served by a public housing authority or tribally created IHA and have a bona fide historic presence or connection with the land, as recognized by the Federal Government or a state.

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Friday
March 29, 1996

Part V

Department of Housing and Urban Development

Office of the Secretary

24 CFR Part 7
Equal Employment Opportunity, Policies and Procedures; Final Rule

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary; Equal Employment Opportunity; Policies and Procedures

24 CFR Part 7

[Docket No. FR 3323–F–01]

RIN 2529–AA61

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: This final rule streamlines HUD's regulations in 24 CFR part 7 pertaining to equal opportunity policies and procedures, and updates these regulations to reflect current practices. Additionally, this rule makes HUD's equal employment complaint processing consistent with the Equal Employment Opportunity Commission's (EEOC) regulations at 29 CFR part 1614.

EFFECTIVE DATE: April 29, 1996.

FOR FURTHER INFORMATION CONTACT: Mari R. Barr, Director for Equal Employment Opportunity, Office of Departmental Equal Employment Opportunity, Room 4300 L'Enfant Plaza, (202) 708–3633, Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410. (This telephone number is not toll-free.) For hearing- or speech-impaired persons this number may be accessed via TDD by contacting the Federal Information Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Background

This final rule streamlines and updates HUD's regulations in 24 CFR part 7 pertaining to equal opportunity policies and procedures. With the exception of two sections (§§ 7.2, 7.3) these regulations have not been amended since 1971. The rule is revised to reflect the new organization of HUD's Equal Employment Opportunity (EEO) office. Additionally, this rule revises the regulations to parallel EEOC's regulations at 29 CFR part 1614, relating to Federal sector equal employment. It will enable quicker, more efficient processing of complaints and promotes impartial, fair and early resolution of complaints.

The revisions are as follows:

Section 7.1 Policy

This section has been revised by the adding of age and disability as additional bases of discrimination.

Section 7.2 Definition

The definition of a person with a disability, which means the same as handicap under EEOC's regulations at 29 CFR part 1614, has been added.

Section 7.3 Designation

This section replaces the Assistant Secretary for Fair Housing and Equal Opportunity as the Director of Equal Employment Opportunity. The Director of the Office of Departmental Equal Employment Opportunity is designated the Director of Equal Employment Opportunity (EEO).

The Deputy Director of the Office of Departmental Equal Employment Opportunity is designated as the Deputy Director of Equal Employment Opportunity.

This section also states that Equal Employment Opportunity officers shall be designated by the Director of EEO for their respective organizational units.

Section 7.4 Affirmative Employment Programs

The final rule adds a new section which states that the Office of the Secretary, the Assistant to the Deputy Secretary for Field Management, each Assistant Secretary, the General Counsel, the Inspector General, the President of Government National Mortgage Association, the Chief Financial Officer, the Director of Lead-Based Paint Abatement and Poisoning Prevention, and the Director, Office of Federal Housing Enterprise Oversight shall establish, maintain and carry out a plan of affirmative employment to promote equal employment opportunity in every aspect of employment policy and practice. Each plan shall identify instances of under-representation of minorities, women and persons with disabilities, recognize situations or barriers that impede equality of opportunity, and include objectives and action items targeted to eliminate any employment, training, advancement, and retention issues which adversely affect minorities, women and persons with disabilities.

Section 7.10 Responsibilities of the Director and Deputy Director of EEO

The function of selecting equal employment counselors has been added to the functions of the Director and Deputy Director of EEO.

Equal employment counselors previously were designated by EEO officers. The Director or the Deputy Director of EEO only concurred on the designations.

Section 7.11 Responsibilities of EEO Officers.

Each EEO officer has the additional responsibilities of

(1) advising the Director of EEO on all matters pertaining to the implementation of the Department's Equal Employment and Affirmative Employment policies and programs in the respective organizational units;

(2) Publicize to all employees of the organizational unit the name and address of the Director of EEO, the EEO Officer, and the EEO Counselor(s), the EEO Discrimination Complaint Manager, the Affirmative Employment Program (AEP) Manager, the Diversity Program Manager, and the EEO complaint procedures;

(3) Evaluate the performance by the managers and supervisors in the organization unit in carrying out their responsibilities;

(4) Seek a resolution of EEO matters alleging discrimination within their organization brought to their attention;

(5) Designate a high level Affirmative Employment Program (AEP) Manager in Headquarters responsible for the preparation of the AEP plan; the management of the plan; providing advice and guidance to managers and supervisors in removing barriers to Equal Employment Opportunity/Affirmative Employment (EEO/AE) and in implementing all their EEO/AE responsibilities.

(6) Designate a senior level EEO Discrimination Complaint Manager in Headquarters to manage and direct the organization's EEO responsibilities;

(7) Designate a senior level Diversity Program Manager in Headquarters to manage and direct the organization's Diversity Program and provide resources for Diversity activities for its employees.

Section 7.12 Responsibilities of EEO Counselors

Age and disability discrimination have been added as additional reasons for counseling by EEO counselors.

Section 7.13 Responsibilities of the Assistant Secretary for Administration

This section was revised by adding three new responsibilities. They are as follows:

(1) Prepare and implement plans for recruitment and reports in accordance with the Federal Equal Opportunity Recruitment Program and the Disabled Veterans Affirmative Action Program;

(2) Make reasonable accommodation to the known physical or mental limitations of qualified applicants and employees with disabilities unless the accommodation would impose an undue hardship on the operation of the agency's program; and

(3) Designate a senior level Disability Program Manager to promote EEO/AE

for persons with disabilities; to assure the accessibility of all HUD facilities and programs; and to manage the resources for providing reasonable accommodation.

Section 7.14 Responsibilities of Human Resources Officers

The title of Director of Personnel has been replaced with the new title called Human Resources Officer. Certain responsibilities have been given Human Resources Officers in addition to those of the former Directors of Personnel. They are as follows:

(1) In coordination with the Director of the Training Academy, develop an on-going training program for various levels of administration and supervision, to insure understanding of the Departmental EEO/AE programs, policy and requirements which fosters effective teamwork and high morale, and provide communication with employees on any matter related to equal employment opportunity;

(2) Decide all personnel actions on merit principles in a manner which will demonstrative affirmative equal employment opportunity for the organization;

(3) Ensure the greatest possible utilization and development of the skills and potential ability of all employees;

(4) Track applicant flow and promptly take or recommend appropriate action to overcome any impediment to the achievement of the objectives of the EEO/AE programs; and

(5) Provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity.

Section 7.15 Responsibilities of the Assistant Regional Administrators for Equal Opportunity

This title has been removed from the table of contents.

Section 7.16 Responsibilities of Supervisors.

This title has been removed from the table of contents.

Section 7.17 Responsibilities of Managers and Supervisors

This new section states that responsibilities of managers and supervisors include the following:

(1) Removing barriers to EEO and ensuring that Affirmative Employment objectives are accomplished in their areas of responsibility;

(2) Evaluating subordinate managers and supervisors on their performance of EEO/AE responsibilities;

(3) Encouraging and taking positive steps to ensure respect for and acceptance of minorities, women and persons with disabilities, veterans and other diverse characteristics in the work force;

(4) Providing for the non-discriminatory treatment of all employees and for providing full and fair opportunity for all employees in obtaining employment and career advancement, including support for F.A.I.R., the Upward Mobility Program, the Mentoring Program and the Individual Development Plan;

(5) Encouraging and authorizing staff participation in the various Diversity Program observances;

(6) Being proactive in addressing EEO/AE issues, and for work environments that encourage and support complaint avoidance through sound management and personnel practices;

(7) Resolving complaints of discrimination early in the EEO process either independently, or through the use of alternate dispute resolution techniques, when it is the right thing to do and when it represents a sound business decision; and

(8) Making reasonable accommodation to the religious and disability needs of applicants and employees when those accommodations can be made without undue hardship on the business of the agency.

Section 7.25 Precomplaint Processing

EEOC's regulations, 24 CFR part 1614.105, shall apply concerning precomplaint processing.

Sections 7.30, 7.31, 7.32, 7.33 and 7.34—These sections have been revised to provide more efficient measures of handling EEO complaints.

The following titles have been removed from the table of contents:

§ 7.35—Adjustment of complaints.
§ 7.36—Hearing.
§ 7.38—Avoidance of delay.
§ 7.40—Complaint file.

The following sections have been removed:

§ 7.45—Entitlement.
§ 7.46—Where to appeal.
§ 7.47—Time limit.
§ 7.48—Appellate procedures.
§ 7.49—Appellate review by the Commissioners.

Other Matters

Environmental Impact. The subject matter of this final rule is categorically excluded from HUD's environmental clearance procedures under 24 CFR 50.20(k). It relates to internal administrative procedures whose content does not constitute a development decision or affect the physical condition of project areas or building sites.

Impact on Small Entities. The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)) has reviewed and approved this rule, and in so doing certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule only streamlines and simplifies 24 CFR part 7.

Federalism. The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism,* has determined that the policies contained in this rule will not have substantial direct effects on states or their political subdivisions, or the relationship between the federal government and the states, or on the distribution of power and responsibilities among the various levels of government. The rule's coverage is limited to federal employees.

Family. The General Counsel, as the Designated Official under Executive Order 12606, *The Family,* has determined that this rule does not have potential for significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under the order. This final rule will make HUD's processing of employment discrimination complaints more efficient.

Justification for Final Rulemaking. The Department has determined that it is unnecessary to subject this rule to public comment. Since this rule is limited to removing obsolete provisions and updating provisions in part 7 to reflect current practices, prior public comment was determined to be unnecessary. Section 10.1 of 24 CFR part 10 states that notice and public procedure can be omitted if the Department determines in a particular case or class of cases that notice and public procedure are impracticable, unnecessary, or contrary to the public interest.

List of Subjects in 24 CFR Part 7

Administrative practice and procedure, Equal employment opportunity, Organization and functions (Government agencies).

Accordingly, 24 CFR part 7 is revised as follows:

PART 7—EQUAL EMPLOYMENT OPPORTUNITY; POLICY AND PROCEDURES

Subpart A—Equal Employment Opportunity Without Regard to Race, Color, Religion, Sex, National Origin, Age, or Disability

General Provisions

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7.1 Policy.
7.2 Definitions.
7.3 Designations.
7.4 Affirmative employment programs.

Responsibilities

7.10 Responsibilities of the Director and Deputy Director of EEO.
7.11 Responsibilities of the EEO Officers.
7.12 Responsibilities of the EEO Counselors.
7.13 Responsibilities of the Assistant Secretary for Administration.
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7.15 Responsibilities of managers and supervisors.
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7.25 Precomplaint processing.

Complaints

7.30 Presentation of complaint.
7.31 Who may file a complaint, with whom filed, and time limits.
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7.33 Acceptability.
7.34 Processing.
7.35 Hearing.
7.36 Decision by Director of EEO.
7.37 Rights of appeals.
7.38 Relationship to other HUD appellate procedures.

Subpart B—[Reserved]

Authority: 42 U.S.C. 3535(d); E.O. 11478, 3 CFR, 1969 Comp. p. 306; 42 U.S.C. 2000e note.

Subpart A—Equal Employment Opportunity Without Regard to Race, Color, Religion, Sex, National Origin, Age, or Disability

General Provisions

§ 7.1 Policy.

In conformity with the policy expressed in Executive Order 11478 (34 FR 12985, 3 CFR, 1966–1970 Comp., p. 803) and with implementing regulations of the Equal Employment Opportunity Commission, codified under 29 CFR part 1614, it is the policy and the intent of the Department of Housing and Urban Development to provide equality of opportunity in employment in the Department for all persons; to prohibit discrimination because of race, color, religion, sex, national origin, age or disability in all aspects of its personnel policies, program, practices, and operations and in all its working conditions and relationships with employees and applicants for employment; and to promote the full realization of equal opportunity in employment through continuing programs of affirmative employment at every management level within the Department.

§ 7.2 Definitions.

For purposes of this subpart A—

AE means Affirmative Employment.

EEO means Equal Employment Opportunity.

Organizational unit means the jurisdictional area of the Office of the Secretary, the Assistant to the Deputy Secretary for Field Management, each Assistant Secretary, the General Counsel, the Inspector General, the President of the Government National Mortgage Association, the Chief Financial Officer, the Director of Lead-Based Paint Abatement and Poisoning Prevention, and the Office of Federal Housing Enterprise Oversight.

Person with a disability means the same as handicap under EEOC's regulations at 29 CFR part 1614.

§ 7.3 Designations.

(a) *Director of Equal Employment Opportunity.* The Director of the Office of Departmental Equal Employment Opportunity is designated the Director of EEO, except that with respect to complaints naming the Director and/or Deputy Director of Departmental EEO as the alleged discriminating official(s) and complaints arising in the Office of Departmental EEO, the Chief of Staff shall be Director of EEO.

(b) *Deputy Director of Equal Employment Opportunity.* The Deputy Director of the Office of Departmental Equal Employment Opportunity is designated as the Deputy Director of Equal Employment Opportunity and acts for the Director of EEO.

(c) *Equal Employment Opportunity Officers.* The Director of Equal Employment Opportunity shall designate appropriate HUD officials to be Equal Employment Opportunity Officers for their respective organizational units.

§ 7.4 Affirmative employment programs.

The Office of the Secretary, the Assistant to the Deputy Secretary for Field Management, each Assistant Secretary, the General Counsel, the Inspector General, the President of the Government National Mortgage Association, the Chief Financial Officer, the Director of Lead-Based Paint Abatement and Poisoning Prevention, and the Director, Office of Federal Housing Enterprise Oversight shall establish, maintain and carry out a plan of affirmative employment to promote equal opportunity in every aspect of employment policy and practice. Each plan shall identify instances of under-representation of minorities, women and persons with disabilities, recognize situations or barriers that impede equality of opportunity, and include objectives and action items targeted to eliminate any employment, training, advancement, and retention issues which adversely affect minorities, women and persons with disabilities. Each plan must be consistent with 29 CFR part 1614 and the governing Management Directive issued by the Equal Employment Opportunity Commission, and is subject to approval by the Director of Equal Employment Opportunity and shall be developed within the framework of Departmentwide guidelines published by the Director of EEO.

Responsibilities

§ 7.10 Responsibilities of the Director and Deputy Director of EEO.

The Director and Deputy Director of EEO are assigned the functions of:

(a) Advising the Secretary with respect to the preparation of plans, procedures, regulations, reports, and other matters pertaining to the Government's equal employment opportunity policy and the Department's EEO/AE programs;

(b) In coordination with other officials, developing and maintaining plans, procedures, and regulations necessary to carry out the Department's EEO programs, including a Departmentwide program of affirmative employment developed in coordination with other officials; approving programs of affirmative employment established throughout the Department;

(c) Evaluating from time to time the sufficiency of the Department's EEO/AE programs and reporting thereon to the Secretary with recommendations as to any improvement or correction needed, including remedial or disciplinary action with respect to managerial or supervisory employees who have failed in their responsibility;

(d) Appraising the Department's personnel operations at regular intervals to insure their conformity with the policy of the Government and the Department's equal employment opportunity program;

(e) Making changes in programs and procedures designed to eliminate discriminatory practices and improve the Department's EEO/AE programs;

(f) Selecting EEO Counselors;

(g) Providing for counseling by an EEO Counselor of an aggrieved employee or applicant for employment who believes that he or she has been discriminated against because of race, color, religion, sex, national origin, age or disability and for attempting to resolve on an informal basis or through a formal alternative dispute resolution process, the matter raised by the employee or applicant before a complaint of discrimination may be filed under § 7.31;

(h) Providing for the prompt, fair and impartial processing of individual complaints involving issues of discrimination within the Department subject to 29 CFR part 1614;

(i) Making the final decision on discrimination complaints and ordering such corrective measures as may be necessary, including disciplinary action as is warranted by the circumstances when an employee has been found to have engaged in a discriminatory practice; and

(j) Executing settlement agreements to resolve EEO complaints.

§ 7.11 Responsibilities of the EEO Officers.

Each EEO Officer shall:

(a) Advise the Director of EEO on all matters affecting the implementation of the Department's EEO/AE policies and programs in the organizational unit;

(b) Develop and maintain a program of affirmative employment for the organizational unit and insure that it is carried out in an exemplary manner;

(c) Publicize to all employees of the organizational unit the name and address of the Director of EEO, the EEO Officer, and the EEO Counselor(s), the EEO Discrimination Complaint Manager, the Affirmative Employment Program (AEP) Manager, the Diversity Program Manager, and the EEO complaint procedures;

(d) Inform all supervisors in the organizational unit of the responsibilities and objectives of the EEO Counselors and the EEO complaint process and the importance of cooperating with the Counselors to informally find solutions to problems brought to the officer's attention by employees and applicants;

(e) Evaluate the performance by the managers and supervisors in the organizational unit in carrying out their responsibilities under this subpart and taking appropriate action;

(f) Seek a resolution of EEO matters alleging discrimination within their organization brought to their attention;

(g) Designate a high level Affirmative Employment Program (AEP) Manager in Headquarters responsible for the preparation of the AEP plan; the management of the plan; providing advice and guidance to managers and supervisors in removing barriers to EEO/AE and in implementing all their EEO/AE responsibilities; and reviewing all recruitment and personnel actions taken by managers and supervisors to ensure the achievement of AEP objectives;

(h) Designate a senior level EEO Discrimination Complaint Manager in Headquarters to manage and direct the organization's EEO responsibilities; and

(i) Designate a senior level Diversity Program Manager in Headquarters to manage and direct the organization's Diversity Program and provide resources for Diversity activities for its employees.

§ 7.12 Responsibilities of the EEO Counselors.

The EEO Counselors are responsible for counseling and attempting resolution of matters brought to the counselor's attention pursuant to § 7.26 and 29 CFR part 1614 by any employee or applicant for employment who believes that he or she has been discriminated against because of race, color, religion, sex, national origin, age, or disability.

§ 7.13 Responsibilities of the Assistant Secretary for Administration.

The Assistant Secretary for Administration shall:

(a) Provide leadership in developing and maintaining personnel management policies, programs, automated systems and procedures which will promote continuing affirmative employment to insure equal opportunity in the recruitment, selection, placement, training, awards, recognition and promotion of employees, including an applicant flow tracking system;

(b) Provide positive assistance and guidance to organizational units and personnel offices to insure the effective implementation of the personnel management policies, programs, automated systems, and procedures on equal employment opportunity;

(c) Participate at the national level with other Government departments and agencies, other employers, and other public and private groups, in cooperative action to improve employment opportunities and community conditions which effect employability;

(d) Prepare and implement plans for recruitment and reports in accordance with the Federal Equal Opportunity Recruitment Program and the Disabled Veterans Affirmative Action Program;

(e) Make reasonable accommodation to the known physical or mental limitations of qualified applicants and employees with disabilities unless the accommodation would impose an undue hardship on the operation of the agency's program; and

(f) Designate a senior level Disability Program Manager to promote EEO/AE for persons with disabilities; to assure the accessibility of all HUD facilities and programs; and to manage the resources for providing reasonable accommodation.

§ 7.14 Responsibilities of Human Resources Officers.

In conformity with guidelines issued by the Assistant Secretary for Administration, Human Resources Officers shall:

(a) Appraise job structure and employment practices to insure genuine equality of opportunity for all employees to participate fully on the basis of merit in all occupations and levels of responsibility;

(b) Communicate the Department's equal employment opportunity policy and program and its employment needs to all sources of job candidates without regard to race, color, religion, sex, national origin, disability or age and solicit their recruitment assistance on a continuing basis;

(c) As appropriate, provide personnel information to EEO counselors and others who are involved in the decision on a discrimination complaint;

(d) Evaluate hiring methods and practices to insure impartial consideration for all job applicants;

(e) Ensure that new employee orientation programs contain appropriate references to the Department's EEO/AE policies and programs;

(f) Participate in the preparation and distribution of such educational materials as may be necessary to inform adequately all employees of their rights and responsibilities as described in this part, including the Department's directives issued to carry out the Equal Employment Opportunity Program;

(g) In coordination with the Director of the Training Academy, develop an on-going training program for various levels of administration and supervision, to ensure understanding of the Departmental EEO/AE programs, policy and requirements which fosters effective teamwork and high morale, and provide communication with employees on any matter related to equal employment opportunity;

(h) Decide all personnel actions on merit principles in a manner which will demonstrative affirmative equal employment opportunity for the organization;

(i) Ensure the greatest possible utilization and development of the skills and potential ability of all employees;

(j) Track applicant flow and promptly take or recommend appropriate action to overcome any impediment to the achievement of the objectives of the EEO/AE programs; and

(k) Provide recognition to employees, supervisors, managers and units demonstrating superior accomplishment in equal employment opportunity.

§ 7.15 Responsibilities of managers and supervisors.

All managers and supervisors of the Department are responsible for:

(a) Removing barriers to EEO and ensuring that Affirmative Employment objectives are accomplished in their areas of responsibility;

(b) Evaluating subordinate managers and supervisors on their performance of EEO/AE responsibilities;

(c) Encouraging and taking positive steps to ensure respect for and acceptance of minorities, women and persons with disabilities, veterans and others of diverse characteristics in the work force;

(d) Providing for the non-discriminatory treatment of all employees and for providing full and fair opportunity for all employees in obtaining employment and career advancement, including support for F.A.I.R., the Upward Mobility Program, the Mentoring Program and the Individual Development Plan;

(e) Encouraging and authorizing staff participation in the various Diversity Program observances;

(f) Being proactive in addressing EEO/AE issues, and for work environments that encourage and support complaint avoidance through sound management and personnel practices;

(g) Resolving complaints of discrimination early in the EEO process either independently, or through the use of alternate dispute resolution techniques, when it is the right thing to do and when it represents a sound business decision; and

(h) Making reasonable accommodation to the religious and disability needs of applicants and employees when those accommodations can be made without undue hardship on the business of the agency.

§ 7.16 Responsibilities of employees.

All employees of the Department are responsible for:

(a) Being informed as to the Department's EEO/AE programs;

(b) Adopting an attitude of full acceptance of minority, female and disabled group associates, and support of F.A.I.R.;

(c) Providing equality of treatment of, and service to, all citizens with whom they come in contact in carrying out their job responsibilities; and

(d) Providing assistance to supervisors and managers in carrying out their responsibilities in the EEO/AE programs.

Precomplaint Processing

§ 7.25 Precomplaint processing.

The regulations in 29 CFR 1614.105, concerning precomplaint processing shall apply.

Complaints

§ 7.30 Presentation of complaint.

At any stage in the presentation of a complaint, including the counseling stage, the Complainant shall be free from restraint, interference, coercion, discrimination, or reprisal and shall have the right to be accompanied, represented, and advised by a representative of the Complainant's own choosing, except as limited by 29 CFR 1614.605. If the Complainant is an employee of the Department, the employee shall have a reasonable amount of official time to present the complaint if the employee is otherwise in an active duty status. If the Complainant is an employee of the Department and designates another employee of the Department as Complainant's representative, the representative shall be free from restraint, interference, coercion, discrimination, or reprisal, and shall have a reasonable amount of official time, if the representative is otherwise in an active duty status, to present the complaint.

§ 7.31 Who may file a complaint, with whom filed, and time limits.

Any aggrieved person (hereafter referred to as the Complainant) who has observed the provisions of § 7.25 may file a complaint if the matter of discrimination was not resolved to the complainant's satisfaction. The complaint must be filed with the Director of EEO within fifteen (15) days of receipt of the Notice of Right to File a Complaint issued by the EEO Counselor. The Department may accept a complaint only if the Complainant has met the appropriate requirements contained in 29 CFR 1614.605.

§ 7.32 Contents.

(a) The complaint filed should include the following information:

(1) The specific action or personnel matter which is alleged to be discriminatory;

(2) The date the act or matter occurred;

(3) The protected basis or bases on which the alleged discrimination occurred;

(4) Facts and other pertinent information to support the allegation of discrimination; and

(5) The relief desired.

(b) To expedite the processing of complaints of discrimination, the Complainant should use HUD EEO–1 form to file the complaint.

§ 7.33 Acceptability.

The Director of EEO shall determine whether the complaint comes within the purview of the EEO regulations at 29 CFR part 1614 and shall advise the Complainant and Complainant's representative in writing of the acceptance or dismissal of the allegation(s) of the complaint. Should the Director of EEO dismiss the complaint or any allegations contained in the complaint, the written decision to the Complainant shall inform Complainant of the complainant's right to appeal the decision and of the time limit applicable to the right of appeal, if Complainant believes the dismissal improper.

§ 7.34 Processing.

(a) The Director of EEO will process complaints filed under 29 CFR part 1614 for the Department. The Director or the Director's designee has jurisdiction of any case.

(b) The Director of EEO shall provide for the development of a complete and impartial record on which to decide the merits of the allegations accepted for investigation.

(1) The person assigned to develop the factual record for the complaint shall occupy a position in the Department which is not, directly or indirectly, under the jurisdiction of the head of the part of the Department in which the complaint arose, or the person shall develop the record under a contract with the Department.

(2) The Department will develop a complete and impartial factual record, subject to the requirements of 29 CFR part 1614, upon which to make findings on the matters raised in the complaint and accepted for processing.

(3) The Director of EEO will provide the Complainant and the EEO Officer a copy of the record developed.

§ 7.35 Hearing.

(a) The Director of EEO will notify the Complainant of the Complainant's right to request an administrative hearing before the Equal Employment Opportunity Commission or a Final Agency Decision from the Department and the timeframes for executing the right to request an administrative hearing.

(b) The Director of EEO will notify the appropriate EEOC office of Complainant's timely request for a hearing and request the appointment of an administrative judge to conduct the hearing pursuant to 29 CFR 1614.109.

§ 7.36 Decision by Director of EEO.

Following consultation with the General Counsel and the Assistant Secretary for Administration, the Director of EEO shall make the final agency decision for the Department based on the record developed through the processing of the complaint. The decision shall require the remedial and corrective action necessary to ensure that the Department is in compliance with the EEO statutes and to promote the Department's policy of equal employment opportunity.

§ 7.37 Rights of appeal.

The provisions of 29 CFR part 1614, subpart D, shall govern rights of appeal.

§ 7.38 Relationship to other HUD appellate procedures.

(a) An aggrieved individual covered by a collective bargaining agreement that permits allegations of discrimination to be raised in a negotiated grievance procedure can file a complaint under these procedures or a negotiated grievance, but not both. An election to proceed under this part is indicated only by filing of a written complaint. An election to proceed under a negotiated grievance procedure is indicated by the filing of a timely grievance.

(b) An aggrieved individual alleging discrimination on the basis of race, color, religion, sex, national origin, age or disability related to or stemming from an action that can be appealed to the Merit Systems Protection Board (MSPB) can file a complaint under these procedures, or an appeal with the MSPB, but not both. Whichever is filed first, the complaint or the appeal, is considered an election to proceed in that forum.

Subpart B—[Reserved]

Dated: March 20, 1996.

Henry G. Cisneros,

Secretary.

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The rules and proposed rules in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

RULES GOING INTO EFFECT TODAY

ENVIRONMENTAL PROTECTION AGENCY

Air pollution; standards of performance for new stationary sources:
- Industrial-commercial-institutional steam generating units--
  - Louisiana; published 3-29-96

Toxic substances:
- Health and data safety reporting rule--
  - List additions; published 2-28-96

Water programs:
- Oil discharge program; editorial revisions; Federal regulatory reform
  - Correction; published 3-29-96

FEDERAL MARITIME COMMISSION

Organization, functions, and authority delegations:
- Economics and Agreement Analysis Bureau, Director
  - Correction; published 3-29-96

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Animal drugs, feeds, and related products:
- New drug applications--
  - Nicarbazin and bacitracin methylene disalicylate; correction; published 3-29-96

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Community development block grants:
- Indian tribes and Alaska Native villages; published 2-28-96

Federal regulatory review:
- Fair housing; certification and funding of State and local enforcement agencies; published 2-28-96

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Freedom of Information Act; implementation; published 3-29-96

TRANSPORTATION DEPARTMENT

Federal Aviation Administration

Airworthiness directives:
- Curtiss-Wright; published 1-29-96
- Franklin; published 1-29-96
- Glaser-Dirks Flugzeugbau GmbH; published 2-23-96
- Teledyne Continental Motors; published 1-29-96

COMMENTS DUE NEXT WEEK

AGRICULTURE DEPARTMENT

Agricultural Marketing Service

Cotton:
- Classification services to growers; user fees; comments due by 4-1-96; published 2-29-96

Nectarines and peaches grown in California; comments due by 4-3-96; published 3-4-96

AGRICULTURE DEPARTMENT

Farm Service Agency

Program regulations:
- Business and industrial loan program; comments due by 4-2-96; published 2-2-96

AGRICULTURE DEPARTMENT

Grain Inspection, Packers and Stockyards Administration

Agricultural commodities standards:
- Beans, whole dry peas, split peas, and lentils; grade standards removed from CFR; comments due by 4-1-96; published 2-29-96

AGRICULTURE DEPARTMENT

Rural Business-Cooperative Service

Program regulations:
- Business and industrial loan program; comments due by 4-2-96; published 2-2-96

AGRICULTURE DEPARTMENT

Rural Housing Service

Program regulations:
- Business and industrial loan program; comments due by 4-2-96; published 2-2-96

AGRICULTURE DEPARTMENT

Rural Utilities Service

Program regulations:
- Business and industrial loan program; comments due by 4-2-96; published 2-2-96

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration

Meetings:
- Mid-Atlantic Fishery Management Council; comments due by 4-2-96; published 2-22-96

DEFENSE DEPARTMENT

Acquisition regulations:
- Miller Act bond requirements; alternatives; comments due by 4-1-96; published 2-1-96

ENERGY DEPARTMENT

Debarment and suspension (procurement) and governmentwide debarment and suspension (nonprocurement); drug-free workplace requirements; comments due by 4-2-96; published 2-2-96

National Environmental Policy Act; implementation; comments due by 4-5-96; published 2-20-96

ENVIRONMENTAL PROTECTION AGENCY

Air pollutants, hazardous; national emission standards:
- Synthetic organic chemical manufacturing industry and other processes subject to equipment leaks negotiated regulation; comments due by 4-1-96; published 2-29-96

Air programs:
- Stratospheric ozone protection--
  - Motor vehicle air conditioners servicing; comments due by 4-5-96; published 3-6-96
  - Refrigerant recycling; comments due by 4-1-96; published 2-29-96
  - Refrigerant recycling; comments due by 4-1-96; published 2-29-96
  - Refrigerant recycling; comments due by 4-1-96; published 2-29-96

Air quality implementation plans; approval and promulgation; various States:
- California; comments due by 4-1-96; published 3-1-96
- Kentucky; comments due by 4-5-96; published 3-6-96
- Maryland; comments due by 4-1-96; published 3-1-96
- Michigan; comments due by 4-1-96; published 3-1-96
- Missouri; comments due by 4-1-96; published 2-29-96
- Oklahoma; comments due by 4-1-96; published 2-29-96

Hazardous waste program authorizations:
- Washington; comments due by 4-1-96; published 2-29-96

Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:
- Prosulfuron; comments due by 4-5-96; published 3-6-96
- Sethoxydim; comments due by 4-1-96; published 2-29-96

Superfund program:
- National oil and hazardous substances contingency plan--
  - National priorities list update; comments due by 4-1-96; published 3-1-96

Water pollution control:
- Clean Water Act--
  - Pollutant analysis; test procedures guidelines; comments due by 4-2-96; published 1-26-96
- Ocean dumping; bioassay testing requirements; comments due by 4-1-96; published 2-29-96

FEDERAL COMMUNICATIONS COMMISSION

Common carrier services:
- Open video systems; implementation; comments due by 4-1-96; published 3-14-96
- Satellite communications--
  - Fixed-satellite service in 13.75-14.0 GHz band; comments due by 4-1-96; published 3-6-96
- Telecommunications Act; implementation--
  - Equipment standards; dispute resolution; comments due by 4-1-96; published 3-12-96

Radio broadcasting:
- Arecibo Coordination Zone, PR; designation; comments due by 4-1-96; published 3-15-96

Radio stations; table of assignments:
- California; comments due by 4-5-96; published 2-20-96
- Delaware; comments due by 4-5-96; published 2-20-96
- New York et al.; comments due by 4-5-96; published 2-20-96

Oregon; comments due by 4-5-96; published 2-20-96

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LIST OF PUBLIC LAWS

This is a list of public bills from the 104th Congress which have become Federal laws. It may be used in conjunction with ''P L U S'' (Public Laws Update Service) on 202–523–6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as ''slip laws'') from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202–512–2470).

S. 1494/P.L. 104–120

Housing Opportunity Program Extension Act of 1996 (Mar. 28, 1996; 110 Stat. 834)

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